

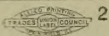


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MAR 27 1916



- 1 Introduced by Mr. Smejkal (by request), March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

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MAR 27 1916

A BILL

For an Act making an appropriation for the ordinary and contingent expenses of the Board of Commissioners of State Contracts, and declaring an emergency.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there be and is hereby appro-
 3 priated to the Board of Commissioners of State Contracts, one hundred thou-
 4 sand dollars (\$100,000), or so much thereof as shall be necessary, for the pur-
 5 chase on contract as required by law and other necessary expenses connected
 6 therewith, of printing, paper, stationery, binding and other accessories for the
 7 use of the General Assembly and the executive departments.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed,

2 upon presentation of proper vouchers certified by the commission, to draw
 3 upon the State Treasurer and the State Treasurer is hereby authorized and
 4 directed to pay the same out of any moneys in the State Treasury not other-
 5 wise appropriated.

Sec. 3. Whereas, the above appropriation is necessary for the transaction
2 of the business of the State, therefore an emergency exists and this Act shall
3 take effect from and after its passage.



- 1 Introduced by Mr. O'Rourke, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to authorize the organization of high school districts," approved May 12, 1905, in force July 1, 1905, by adding thereto a new section to follow the 8th and last section, to be known as section nine (9).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to authorize the organization of high school districts," approved May 12, 1905, in force July 1, 1905, be and the same is hereby amended by adding thereto a new section to follow the 8th and last section, to be known as section nine (9), which said section shall read as follows:

Sec. 9. *When any part of a school township constituting a part of a township high school district shall contain a school district or districts having a population of not less than twenty-five hundred (2,500) nor more than twenty-five thousand (25,000) inhabitants, whether such school district or districts be under the general school law or organized or acting under special charter, such district*

6 or districts may withdraw from such established township high school district
7 and organize a new high school district by submitting the question of such with-
8 drawal and organization to a vote of the people of such district or districts at a
9 special election to be called and held in the same manner as provided in section
10 one (1) hereof.

11 Upon an affirmative vote as required by section one (1) hereof, such new
12 district shall be established and a new high school built, conducted and maintain-
13 ed as provided in this Act, and the territory embraced in such new district shall
14 be separated from and independent of the district from which it is so withdrawn.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 516

1915



1 Adopted June 2, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 516, in line 4 of section 9 of the printed bill, after the
2 comma following the word "inhabitants" by inserting the following: "situated
3 in any county of the third class, which district or districts are separated from
4 the residue of the high school district by any sanitary district canal."

AMENDMENT NO. 2.

Amend House Bill No. 516, in line 8 of section 9 of the printed bill by in-
2 serting after the word "districts" the following: "which seeks to withdraw as
3 herein provided."

AMENDMENT NO. 3.

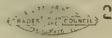
Amend House Bill No. 516, in line 9 of section 9 of the printed bill, by
2 striking out the word "same" and the word "as" and all after the word "pro-
3 vided" in lines 9 and 10 of the same section and add the words "by statute."

AMENDMENT NO. 4.

Amend House Bill No. 516, in line 11 of the printed bill by striking out
2 the words "required by section one (1) hereof" and insert in lieu thereof the
3 words "herein provided."

AMENDMENT NO. 5.

Amend House Bill No. 516, after line 14 of the printed bill by adding the
2 following: "*Provided*, that such portion of the township high school as may
3 withdraw under the provisions hereof, shall remain liable to pay its proportion-
4 ate part of any lawful outstanding bond issue."



1 Introduced by Mr. De Young, March 25, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 3, section 7, section 8, section 9, section 12, section 13, section 14, section 16, section 19, section 21, and section 26 of an Act entitled, “An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for the enforcement and administering thereof, and a penalty for its violation, and repealing an Act entitled, ‘An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment,’ approved June 10, 1911, in force May 1, 1912,” approved June 28, 1913, in force July 1, 1913, and adding thereto a new section, 33½.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3, section 7, section 8, section 9, section 12, section 13, section 14, section 16, section 19, section 21 and section 26 of an Act entitled, “An Act to promote the general welfare of the people of this State by providing compensation for accidental injuries or death suffered in the course of employment within this State; providing for

7 the enforcement and administering thereof, and a penalty for its violation, and
 8 repealing an Act entitled, 'An Act to promote the general welfare of the
 9 people of this State by providing compensation for accidental injuries or death
 10 suffered in the course of employment,' approved June 10, 1911, in force May
 11 1, 1912," approved June 28, 1913, in force July 1, 1913, be amended *and a new*
 12 *section, 33½, be added thereto*, so as to read as follows:

Sec. 3. (a) In any action to recover damages against an employer, en-
 2 gaged in any of the occupations, enterprises or businesses enumerated in para-
 3 graph (b) of this section, who shall elect not to provide and pay compensation
 4 to any employee, according to the provisions of this Act, it shall not be a
 5 defense, that:

6 First—The employee assumed the risks of the employment;

7 Second—The injury or death was caused in whole or in part by the negli-
 8 gence of a fellow-servant; or

9 Third—The injury or death was proximately caused by the contributory
 10 negligence of the employee.

11 (b) The provisions of paragraph (a) of this section shall only apply to an
 12 employer engaged in any of the following occupations, enterprises or busi-
 13 nesses, namely:

14 1. The building, maintaining, repairing or demolishing of any structure;

15 2. Construction, excavating or electrical work;

16 3. Carriage by land or water and loading or unloading in connection
 17 therewith, *including therein, also that part of any business which consists of the*
 18 *distribution of raw or manufactured products or merchandise by horse-drawn*
 19 *or power vehicles;*

20 4. The operation of any warehouse or general or terminal store houses;

21 5. Mining, surface mining or quarrying;

22 6. Any enterprise in which explosive materials are manufactured, handled
 23 or used in dangerous quantities;

24 7. In any enterprise wherein molten metal, or explosive or injurious gases
25 or vapors, or inflammable vapors or fluids, or corrosive acids, are manufactured,
26 used, generated, stored or conveyed in dangerous quantities;

27 8. In any enterprise in which statutory or municipal ordinance regula-
28 tions are now or shall hereafter be imposed for the regulating, guarding, use or
29 the placing of machinery or appliances, or for the protection and safeguarding
30 of the employees or the public therein; each of which occupations, enterprises or
31 businesses are hereby declared to be extra-hazardous.

Sec. 7. The amount of compensation which shall be paid for an injury to
2 the employee resulting in death shall be:

3 (a) If the employee leaves any widow, child or children whom he was
4 under legal obligation to support at the time of his injury, a sum equal to four
5 times the average annual earnings of the employee, but not less in any event
6 than *one thousand six hundred fifty* dollars and not more in any event than three
7 thousand five hundred dollars. Any compensation payments other than neces-
8 sary medical, surgical or hospital fees or services shall be deducted in ascer-
9 taining the amount payable on death.

10 (b) If no amount is payable under paragraph (a) of this section and the
11 employee leaves any widow, child, parent, grandparent or other lineal heir, to
12 whose support he had contributed within four years previous to the time of his
13 injury, a sum equal to four times the average annual earnings of the employee,
14 but not less in any event than one thousand *six hundred fifty* dollars and not more
15 in any event than three thousand five hundred dollars. Any compensation pay-
16 ments other than necessary medical, surgical or hospital fees or services ~~shall~~
17 be deducted in ascertaining the amount payable on death.

18 (c) If no amount is payable under paragraph (a) or (b) of this section
19 and the employee leaves collateral heirs dependent at the time of the injury to
20 the employee upon his earnings, such a percentage of the sum provided in
21 paragraph (a) of this section as the average annual contributions which the de-
22 ceased made to the support of such collateral dependent heirs during the two

23 years preceding the injury bears to his *average annual* earnings during such
24 two years.

25 (d) If no amount is payable under paragraph (a) or (b) or (c) of this
26 section, a sum not to exceed one hundred and fifty dollars for burial expenses.

27 (e) All compensation except for burial expenses, provided for in this
28 section to be paid in case injury results in death, shall be paid in installments
29 equal to one-half the average earnings, at the same intervals at which the wages
30 or earnings of the employee were paid; of if this shall not be feasible, then the
31 installments shall be paid weekly: *Provided*, such compensation may be paid in
32 a lump sum upon petition as provided in section 9 of this Act.

33 (f) The compensation to be paid for injury which results in death, as pro-
34 vided in this section, shall be paid at the option of the employer either to the
35 personal representative of the deceased employee or to his beneficiaries, and
36 shall be distributed to the heirs who formed the basis for determining the amount
37 of compensation to be paid by the employer, the distributees' share to be in the
38 proportion of their respective dependency at the time of the injury on the earn-
39 ings of the deceased: *Provided*, that, in the judgment of the court appointing
40 the personal representative, a child's distributive share may be paid to the
41 parent for the support of the child. The payment of compensation by the em-
42 ployer to the personal representative of the deceased employee shall relieve
43 him of all obligations as to the distribution of such compensation so paid. The
44 distribution by the personal representative of the compensation paid to him by
45 the employer shall be made pursuant to the order of the court appointing him.

Sec. 8. The amount of compensation which shall be paid to the employee
2 for any injury not resulting in death shall be:

3 (a) The employer shall provide necessary first aid, medical, surgical and
4 hospital services; also medical, surgical and hospital services for a period not
5 longer than eight weeks, not to exceed, however, the amount of \$200.00. The
6 employee may elect to secure his own physician, surgeon or hospital services at
7 his own expense.

8 (b) If the period of temporary total incapacity for work lasts for more
9 than six working days, compensation equal to one-half the earnings, but not less
10 than \$6.00 nor more than \$12.00 per week, beginning on the eighth day of such
11 temporary total incapacity, and continuing as long as the temporary total inca-
12 pacity lasts, but not after the amount of compensation paid equals the amount
13 which would have been payable as a death benefit under paragraph (a), section
14 7, if the employee had died as a result of the injury at the time thereof, leaving
15 heirs surviving as provided in said paragraph (a), section 7.

16 (c) For any serious and permanent disfigurement to the hand, head or face,
17 the employee shall be entitled to compensation for such disfigurement, the
18 amount to be fixed by agreement or by arbitration in accordance with the pro-
19 visions of this Act, which amount shall not exceed one-quarter of the amount
20 of the compensation which would have been payable as a death benefit under
21 paragraph (a), section 7, if the employee had died as a result of the injury at
22 the time thereof, leaving heirs surviving, as provided in said paragraph (a),
23 section 7: *Provided, that no compensation shall be payable under this para-*
24 *graph where compensation is payable under paragraphs (d), (e) or (f) of this*
25 *section: And, provided, further, that when the disfigurement is to the hand,*
26 *head or face as a result of an injury, for which injury compensation is not*
27 *payable under paragraph (d), (e) or (f) of this section, compensation for such*
28 *disfigurement may be had under this paragraph.*

29 (d) If, after the injury has been sustained, the employee as a result there-
30 of becomes partially incapacitated from pursuing his usual and customary line
31 of employment, he shall, except in the cases covered by the specific schedule
32 set forth in paragraph (e) of this section, receive compensation, subject to the
33 limitations as to time and maximum amounts fixed in paragraphs (b) and (h)
34 of this section, equal to one-half of the difference between the average amount
35 which he earned before the accident, and the average amount which he is earning
36 or is able to earn in some suitable employment or business after the accident.
37 In the event the employee returns to the employment of the employer in whose
38 service he was injured, the employee shall not be barred from asserting a claim

39 for compensation under this Act: *Provided*, notice of such claim is filed with
 40 the Industrial Board within eighteen months after he returns to such employ-
 41 ment, and the said board shall immediately send to the employer, by registered
 42 mail, a copy of such notice.

43 (e) For injuries in the following schedule, the employee shall receive in
 44 addition to compensation during the period of temporary total incapacity for
 45 work resulting from such injury, in accordance with the provisions of para-
 46 graphs (a) and (b) of this section, compensation, for a further period, subject
 47 to the limitations as to time and amounts fixed in paragraphs (b) and (h) of
 48 this section, for the specific loss herein mentioned, as follows, but shall not re-
 49 ceive any compensation under any other provision of this Act:

50 For the loss of a thumb, or the permanent and complete loss of its use, fifty
 51 per centum of the average weekly wage during sixty weeks;

52 For the loss of a first finger, commonly called the index finger, or the per-
 53 manent and complete loss of its use, fifty per centum of the average weekly wage
 54 during thirty-five weeks;

55 For the loss of a second finger, or the permanent and complete loss of its
 56 use, fifty per centum of the average weekly wage during thirty weeks;

57 For the loss of a third finger, or the permanent and complete loss of its use,
 58 fifty per centum of the average weekly wage during twenty weeks;

59 For the loss of a fourth finger, commonly called the little finger, or the per-
 60 manent and complete loss of its use, fifty per centum of the average weekly wage
 61 during fifteen weeks;

62 The loss of the first phalange of the thumb, or of any finger, shall be consid-
 63 ered to be equal to the loss of one-half of such thumb, or finger, and compensa-
 64 tion shall be one-half the amounts above specified;

65 The loss of more than one phalange shall be considered as the loss of the en-
 66 tire finger or thumb: *Provided, however*, that in no case shall the amount re-
 67 ceived for more than one finger exceed the amount provided in this schedule for
 68 the loss of a hand;

69 For the loss of a great toe, fifty per centum of the average weekly wage dur-
70 ing thirty weeks:

71 *For the loss of one toe other than the great toe, fifty per centum of the*
72 *average weekly wage during ten weeks, and for the additional loss of one or*
73 *more toes other than the great toe, fifty per centum of the average weekly wage*
74 *during an additional ten weeks.*

75 The loss of the first phalange of any toe shall be considered to be equal to
76 the loss of one-half of such toe, and compensation shall be one-half of the amount
77 above specified.

78 The loss of more than one phalange shall be considered as the loss of the
79 entire toe.

80 For the loss of a hand, or the permanent and complete loss of its use, fifty
81 per centum of the average weekly wage during one hundred and fifty weeks;

82 For the loss of an arm, or the permanent and complete loss of its use, fifty
83 per centum of the average weekly wage for during two hundred weeks;

84 For the loss of a foot, or the permanent and complete loss of its use, fifty
85 per centum of the average weekly wage during one hundred and twenty-five
86 weeks;

86 For the loss of a leg, or the permanent and complete loss of its use, fifty
87 per centum of the average weekly wage during one hundred and seventy-five
88 weeks;

90 For the loss of the sight of an eye, fifty per centum of the average weekly
91 wage during one hundred weeks;

92 The loss of both hands, or both arms, or both feet, or both legs, or both eyes,
93 or of any two thereof, shall constitute total and permanent disability, to be com-
94 pensated according to the compensation fixed by paragraph (f) of this section:
95 *Provided*, that these specific cases of total and permanent disability shall not be
96 construed as excluding other cases.

97 (f) In the case of complete disability, which renders the employee wholly
98 and permanently incapable of work, compensation equal to 50 per cent of his
99 earnings, but not less than \$6.00 nor more than \$12.00 per week, commencing on

100 the day after the injury and continuing until the amount paid equals the amount
101 which would have been payable as a death benefit under paragraph (a), sec-
102 tion 7, if the employee had died as a result of the injury at the time thereof,
103 leaving heirs surviving, as provided in said paragraph (a), section 7, and there-
104 after a pension during life annually equal to 8 per cent of the amount which
105 would have been payable as a death benefit under paragraph (a), section 7, if
106 the employee had died as a result of the injury at the time thereof, leaving heirs
107 surviving, as provided in said paragraph (a), section 7. Such pension shall not
108 be less than \$10.00 per month and shall be payable monthly.

109 (g) In case death occurs as a result of the injury before the total of the
110 payments made equals the amount payable as a death benefit, then in case the
111 employee leaves any widow, child or children, parents, grandparents or other
112 lineal heirs, entitled to compensation under section 7, the difference between the
113 compensation for death and the sum of the payments made to the employee shall
114 be paid, at the option of the employer, either to the personal representative or
115 the beneficiaries of the deceased employee, and distributed, as provided in para-
116 graph (f) of section 7, but in no case shall the amount payable under this para-
117 graph be less than \$500.00.

118 (h) In no event shall the compensation to be paid exceed fifty per centum
119 of the average weekly wage or exceed \$12.00 per week in amount; nor, except
120 in cases of complete disability, as defined above, shall any payments extend
121 over a period of more than eight years from the date of the accident. In case an
122 injured employee shall be incompetent at the time when any right or privilege
123 accrues to him under the provisions of this Act, a conservator or guardian may
124 be appointed, pursuant to law, and may, on behalf of such incompetent, claim
125 and exercise any such right or privilege with the same force and effect as if the
126 employee himself had been competent and had claimed or exercised said right or
127 privilege; and no limitations of time by this Act provided shall run so long as
128 said incompetent employee is without a conservator or guardian.

129 (i) All compensation provided for in paragraphs (b), (c), (d), (e) and (f)
130 of this section, other than cases of pension for life, shall be paid in installments

131 at the same intervals at which the wages or earnings of the employee were paid
132 at the time of the injury, or if this shall not be feasible, then the installments shall
133 be paid weekly.

Sec. 9. Any employer or employee or beneficiary who shall desire to have
2 such compensation, or any unpaid part thereof, paid in a lump sum, may peti-
3 tion the Industrial Board, asking that such compensation be so paid, and if,
4 upon proper notice to the interested parties and a proper showing made before
5 such board, it appears to the best interest of the parties that such compensa-
6 tion be so paid, the board *may* order the commutation of the compensation to an
7 equivalent lump sum, which commutation shall be an amount which will equal the
8 total sum of the probable future payments capitalized at their present value
9 upon the basis of interest calculated at three per centum per annum, with annual
10 rests: *Provided*, that in cases indicating complete disability no petition for a
11 commutation to a lump sum basis shall be entertained by the Industrial Board
12 until after the expiration of six months from the date of the injury, and where
13 necessary, upon proper application being made, a guardian, conservator or ad-
14 ministrator, as the case may be, may be appointed for any person under disability
15 who may be entitled to any such compensation, and an employer bound by the
16 terms of this Act, and liable to pay such compensation, may petition for the ap-
17 pointment of the public administrator, or a conservator, or guardian, where no
18 legal representative has been appointed or is acting for such party or parties
19 so under disability. *Either party may reject an award of a lump sum payment*
20 *of compensation, except an award for compensation under section 7 or para-*
21 *graph (e) of section 8 or for the injuries defined in the last paragraph of para-*
22 *graph (e) of section 8 as constituting total and permanent disability, by filing his*
23 *written rejection thereof with the said board within ten days after notice to him of*
24 *the award, in which event compensation shall be payable in installments as herein*
25 *provided.*

Sec. 12. An employee entitled to receive disability payments shall be re-
2 quired, if requested by the employer, to submit himself, at the expense of the

3 employer, for examination to a duly qualified medical practitioner or surgeon
 4 selected by the employer, at a time and place reasonably convenient for the
 5 employee, as soon as practicable after the injury, and also one week after the
 6 first examination and thereafter at intervals not oftener than once every four
 7 weeks, which examination shall be for the purpose of determining the nature,
 8 extent and probable duration of the injury received by the employee, and for the
 9 purpose of ascertaining the amount of compensation which may be due the em-
 10 ployee from time to time for disability according to the provisions of this Act:
 11 *Provided, however, that such examination shall be made in the presence of a*
 12 *duly qualified medical practitioner or surgeon provided and paid for by the em-*
 13 *ployee, if such employee so desires. In all cases where the examination is made*
 14 *by a surgeon engaged by the employer and the injured employee has no surgeon*
 15 *present at such examination, it shall be the duty of the surgeon making the ex-*
 16 *amination at the instance of the employer to deliver to the injured employee,*
 17 *upon his request or that of his representative, a statement in writing of the con-*
 18 *dition and extent of the injury to the same extent that said surgeon reports to*
 19 *the employer. If the employee refuses so to submit himself to examination or*
 20 *unnecessarily obstructs the same, his right to compensation payments shall be*
 21 *temporarily suspended until such examination shall have taken place, and no*
 22 *compensation shall be payable under this Act for such period. It shall be the*
 23 *duty of surgeons treating an injured employee who is likely to die and treating*
 24 *him at the instance of the employer to have called in another surgeon, to be*
 25 *designated and paid for by either the injured employee or by the person or*
 26 *persons who would become his beneficiary or beneficiaries, to make an examina-*
 27 *tion before the death of such injured employee.*

Sec. 13. There is hereby created a board which shall be known as the In-
 2 dustrial Board, to consist of three members to be appointed by the Governor,
 3 by and with the consent of the Senate, one of whom shall be a representative
 4 citizen of the employing class operating under this Act, and one of whom shall be
 5 a representative citizen chosen from among the employees operating under this

6 Act, and one of whom shall be a representative citizen not identified with either
7 the employing or employee classes, and who shall be designated by the Governor
8 as chairman. Appointment of members to places on the first board, or to fill
9 vacancies on said board may be made during recesses of the Senate, but shall
10 be subject to confirmation by the Senate at the next ensuing session of the Legis-
11 lature. The term of office of members of this board shall be six years, *expir-*
12 *ing on January 31st of the odd years,* except that when first constituted one mem-
13 ber shall be appointed for two years, one for four years, and one for six years.
14 Thereafter one member shall be appointed every second year for the full term
15 of six years. Not more than two members of the board shall belong to the same
16 political party.

Sec. 14. The salary of each of the members of the board so appointed by
2 the Governor shall be *six* thousand dollars per year. The board shall appoint
3 a secretary and shall employ such assistants and clerical help as may be neces-
4 sary. *The salary of the arbitrators designated by the board shall be at the rate*
5 *of two thousand four hundred dollars per year. The members of the board and*
6 *the arbitrators shall have reimbursed to them their actual traveling expenses*
7 *and disbursements made or incurred by them in the discharge of their official*
8 *duties while away from their places of residence in the performance of their*
9 *duties.* The board shall provide itself with a seal for the authentication of its
10 orders, awards, and proceedings, upon which shall be inscribed the words, "In-
11 dustrial Board—Illinois—Seal."

Sec. 16. The board may make rules and orders for carrying out the duties
2 imposed upon it by law, which rules and orders shall be deemed *prima facie*
3 reasonable and valid; and the process and procedure before the board shall be
4 as simple and summary as reasonably may be. The board, or any member there-
5 of, *or any arbitrator designated by said board shall have the power to admin-*
6 *ister oaths, subpoena and examine witnesses, to issue subpoenas duces tecum*
7 *requiring the production of such books, papers, records and documents as may*
8 *be evidence of any matter under inquiry, and to examine and inspect the same*

9 and such places or premises as may relate to the question in dispute. Said board,
10 or any member thereof, or any arbitrator designated by said board, shall, on
11 written request of either party to the dispute, issue subpoenas for the attendance
12 of such witnesses and production of such books, papers, records and documents
13 as shall be designated in said application, providing, however, that the parties
14 applying for such subpoena shall advance the officer and witness fees provided
15 for in suits pending in the circuit court. Service of such subpoenas shall be made
16 by any sheriff or constable or other person. In case any person refuses to com-
17 ply with an order of the board or subpoena issued by it or any member thereof,
18 or any arbitrator designated by said board, or to permit and inspection of places
19 or premises, or to produce any books, papers, records or documents, or any
20 witness refuses to testify to any matter regarding which he may be lawfully in-
21 terrogated, the county court of the county in which said hearing or matter is
22 pending, on application of any member of the board or any arbitrator desig-
23 nated by the board, shall compel obedience by attachment proceedings, as for
24 contempt, as in a case of disobedience of the requirements of a subpoena from
25 such court on a refusal to testify therein.

26 The board at its expense shall provide a stenographer to take the testimony
27 and record of proceedings at the hearings before an arbitrator, committee of ar-
28 bitration or the board and said stenographer shall furnish a transcript of such
29 testimony or proceedings to any person requesting it upon payment to him
30 therefor of five cents per one hundred words for the original and three cents per
31 one hundred words for each copy of such transcript.

32 The board shall have the power to determine the reasonableness and fix the
33 amount of any fee or compensation charged by any person for any service per-
34 formed in connection with this Act, or for which payment is to be made under
35 this Act or rendered in securing any right under this Act.

Sec. 19. Any disputed questions of law or fact upon which the employer
2 and employee or personal representative cannot agree, shall be determined as
3 herein provided.

4 (a) *It shall be the duty of the Industrial Board, upon notification that the*
5 *parties have failed to reach an agreement, to designate an arbitrator: Pro-*
6 *vided, that if the compensation claimed is for a partial permanent or total per-*
7 *manent incapacity or for death, then the dispute may, at the election of either*
8 *party, be determined by a committee of arbitration, which election for a deter-*
9 *mination by a committee shall be made by petitioner filing with the board his*
10 *election in writing with his petition or by the other party filing with the board*
11 *his election in writing within five days of notice to him of the filing of the peti-*
12 *tion, and thereupon it shall be the duty of the Industrial Board, upon either of*
13 *the parties having filed their election for a committee of arbitration as above*
14 *provided, to notify both parties to appoint their respective representatives on*
15 *the committee of arbitration. The board shall designate an arbitrator to act as*
16 *chairman, and if either party fails to appoint its member on the committee*
17 *within seven days after notification as above provided, the board shall appoint*
18 *a person to fill the vacancy and notify the parties to that effect. The party filing*
19 *his election for a committee of arbitration shall with his election deposit with the*
20 *board the sum of twenty dollars, to be paid by the board to the arbitrators se-*
21 *lected by the parties as compensation for their services as arbitrators, and upon*
22 *a failure to deposit as aforesaid, the election shall be void and the determination*
23 *shall be by an arbitrator designated by the board. The members of the commit-*
24 *tee of arbitration appointed by either of the parties or one appointed by the*
25 *board to fill a vacancy by reason of the failure of one of the parties to appoint,*
26 *shall not be a member of the board or an employee thereof.*

27 (b) *The arbitrator or committee of arbitration shall make such inquiries*
28 *and investigations as he or they shall deem necessary, and may examine and in-*
29 *spect all books, papers, records, places or premises relating to the questions*
30 *in dispute, and hear such proper evidence as the parties may submit. The*
31 *hearings before the arbitrator or committee of arbitration shall be held in the*
32 *vicinity where the injury occurred, after ten days' notice of the time and place*
33 *of such hearing shall have been given to each of the parties or their attorneys*
34 *of record. The decision of the arbitrator or committee of arbitration shall be*

35 filed with the Industrial Board, which board shall immediately send to each
36 party or *his attorney* a copy of such decision, together with a notification of the
37 time when it was filed, *and unless a petition for a review is filed by either party*
38 within fifteen days after the receipt by said party of the copy of *said* decision
39 and notification of time when filed, and unless such party petitioning for a re-
40 view shall within twenty days *after the receipt by him of the copy of said de-*
41 *cision*, file with the board either an agreed statement of the facts appearing
42 upon the hearing before the *arbitrator* or committee of arbitration, or if such
43 party shall so elect, a correct stenographic report of the proceedings at such
44 hearings, then the decision shall *become the decision of the Industrial Board:*
45 *Provided*, that such Industrial Board may for sufficient cause shown grant fur-
46 ther time, *not exceeding thirty days*, in which to petition for such review or to
47 file such agreed statement or stenographic report. *Such* agreed statement of
48 facts or correct stenographic report, as the case may be, shall be authenticated
49 by the signatures of the parties or their attorneys and in the event they do not
50 agree as to the correctness of the stenographic report it shall be authenticated
51 by the signature of the *arbitrator designated by the board*.

52 (c) The Industrial board may appoint, at its expense, a duly qualified, im-
53 partial physician, to examine the injured employee and report to the board. The
54 fee for this service shall not exceed five dollars and traveling expenses, but the
55 board may allow additional reasonable amounts in extraordinary cases. The
56 fees and the payment thereof of all attorneys and physicians for services au-
57 thorized by the board under this Act, shall, upon request of either the employer
58 or the employee or the beneficiary affected, be subject to the review and decision
59 of the Industrial board.

60 (d) If any employee shall persist in insanitary or injurious practices which
61 tend to either imperil or retard his recovery or shall refuse to submit to such
62 medical or surgical treatment as is reasonably essential to promote his recov-
63 ery, the board may, in its discretion, reduce or suspend the compensation of any
64 such injured employee.

65 (e) If a petition for review and agreed statement of facts or stenographic
66 report is filed, as provided herein, the Industrial Board shall promptly review
67 the decision of the *arbitrator or committee of arbitration and all questions of law*
68 *or fact which appear from the said statement of facts or stenographic report,*
69 *and such additional evidence as the parties may submit.* After such hearing
70 upon review, the board *shall file in its office its decision thereon, and shall im-*
71 *mediately send to each party or his attorney a copy of such decision and a no-*
72 *tification of the time when it was filed.* Such review and hearing may be held
73 in its office, or elsewhere, as the board *may deem advisable: Provided, the board*
74 *shall give ten days' notice of the time and place thereof to the parties or their*
75 *attorneys.* In any case the board in its decision may in its discretion find special-
76 *ly upon any question or questions of law or fact which shall be submitted in*
77 *writing by either party, whether ultimate or otherwise.* Any party may, with-
78 in twenty days after the receipt of notice of the board's decision, or within such
79 further time, *not exceeding thirty days,* as the board may grant, file with the
80 board either an agreed statement of the facts appearing upon the hearing, or, if
81 such party shall so elect, a correct stenographic report of the *additional proceed-*
82 *ings presented before the board, in which report the party may embody a cor-*
83 *rect statement of such other proceedings in the case as such party may desire*
84 *to have reviewed,* such statement of facts or stenographic report to be authen-
85 ticated by the signatures of the parties or their attorneys, and in the event that
86 they do not agree, then the authentication *of such stenographic report* shall be
87 by the signature of the chairman of the board. *The applications for adjust-*
88 *ment of claim and other documents in the nature of pleadings filed by either*
89 *party, together with the decisions of the arbitrator and of the Industrial Board,*
90 *and the statement of facts or stenographic reports hereinbefore provided for in*
91 *paragraphs (b) and (c) shall be the record of the proceedings of said board, and*
92 *shall be subject to review as hereinafter provided.*

93 (f) The decision of the Industrial Board, acting within its powers, accord-
94 ing to the provisions of paragraph (e) of this section, and of the *arbitrator or*
95 *committee of arbitration, where no review is had and his or their decision be-*

comes the decision of the Industrial Board in accordance with the provisions of this section, shall, in the absence of fraud, be conclusive unless reviewed as in this paragraph hereinafter provided.

(1) The circuit court of the county where any of the parties defendant may be found shall by writ of certiorari to the Industrial board have power to review all questions of law presented by such record. Such writ shall be issued by the clerk of such court upon praecipe. Service upon any member of the Industrial board or the secretary thereof shall be service on the board, and service upon other parties in interest shall be by scire facias, or service may be made upon said board and other parties in interest by mailing notice of the commencement of the proceedings and the return day of the writ to the office of said board and the last known place of residence of the other parties in interest at least ten days before the return day of said writ; or (2) any party in interest may commence a suit in chancery in the circuit court of the county where any of the parties defendant may be found to review the decision of the board only for errors of law appearing on the said record of the said board. Such suit by writ of certiorari or in chancery shall be commenced within twenty days of the receipt of notice of the decision of the board.

The court may confirm or set aside the decision of the arbitrator or committee of arbitration or Industrial board. If the decision is set aside and the facts found in the proceedings before the board are sufficient, the court may enter such decision as is justified by law, or may remand the cause to the Industrial board for further proceedings, and may state the questions requiring further hearing, and give such other instructions as may be proper.

Judgments, orders and decrees of the circuit court under this Act shall be reviewed only by the supreme court upon writ of error. Upon motion, the trial court shall enter of record a certificate that the cause is, or is not, in his opinion, one proper to be reviewed by the supreme court. Upon filing with the clerk of the supreme court a certified copy of such a certificate that the cause is one proper to be reviewed, writ of error shall issue. If the trial court certifies that the cause is not one proper to be reviewed, the supreme court, in its discretion, may, never-

127 *theless, order that a writ of error issue. A writ of error, when issued, shall oper-*
128 *ate as a supersedeas.*

129 The decision of any two members of a committee of arbitration or of the In-
130 dustrial board shall be considered the decision of such committee or board, re-
131 spectively.

132 (g) Either party may present a certified copy of the decision of the Indus-
133 trial board, when no proceedings for review thereof have been taken, or of the
134 decision of such *arbitrator or* committee of arbitration when no claim for review
135 is made, or of the decision of the Industrial board after hearing upon review,
136 providing for the payment of compensation according to this Act, to the circuit
137 court of the county in which such accident occurred *or either of the parties are*
138 *residents*, whereupon such court shall render a judgment in accordance there-
139 with; and in cases where the employer does not institute proceedings for re-
140 view of the decision of the Industrial board and refuses to pay compensation
141 according to the award upon which such judgment is entered, the court shall,
142 in entering judgment thereon, tax as costs against him the reasonable costs
143 and attorney fees in the arbitration proceedings and in the court entering the
144 judgment, for the person in whose favor the judgment is entered, which judg-
145 ment and costs, taxed as herein provided shall, until and unless set aside, have
146 the same effect as though duly rendered in an action duly tried and determined
147 by said court, and shall, with like effect, be entered and docketed. The circuit
148 court shall have power, at any time, upon application, to make any such
149 judgment conform to any modification required by any subsequent decision of
150 the supreme court upon appeal, or as the result of any subsequent proceedings
151 for review, as provided in this Act.

152 Judgment shall not be entered until fifteen days' notice of the time and
153 place of the application for the entry of judgment shall be served upon the
154 employer by filing such notice with the Industrial board; which board shall, in
155 case it has on file the address of the employer or the name and address of its
156 agent, upon whom notices may be served, immediately send a copy of the notice

157 to the employer or such designated agent; and no judgment shall be entered in
158 the event the employer shall file with the said board its bond, with good and
159 sufficient surety in double the amount of the award, conditioned upon the pay-
160 ment of said award in the event the said employer shall fail to prosecute with
161 effect proceedings for review of the decision, or the said decision, upon review,
162 shall be affirmed.

163 (h) An agreement or award under this Act, providing for compensation
164 in installments, may at any time within eighteen months after such agreement
165 or award be reviewed by the Industrial board at the request of either the em-
166 ployer or the employee, on the ground that the disability of the employee has
167 subsequently recurred, increased, diminished or ended; and on such review, com-
168pensation payments may be re-established, increased, diminished or ended:
169 *Provided*, that the board shall give fifteen days' notice to the parties of the
170 hearing for review: *And provided, further*, any employee, upon any petition for
171 such a review being filed by the employer, shall be entitled to one day's notice
172 for each one hundred miles necessary to be traveled by him in attending the
173 hearings of the board upon said petition and three days in addition thereto,
174 and such employee, shall, at the discretion of the board, also be entitled to five
175 cents per mile necessarily traveled by him in attending such hearing, not to
176 exceed a distance of 300 miles, to be taxed by the board as costs and deposited
177 with the petition of the employer.

178 (i) Each party, upon taking any proceedings or steps whatsoever before
179 any *arbitrator*, committee of arbitration, industrial board or court, shall file
180 with the Industrial board his address, or the name and address of an agent
181 upon whom all notices to be given to such party shall be served, either per-
182 sonally or by registered mail addressed to such party or agent at the last address
183 so filed with the Industrial board: *Provided*, that in the event such party has not
184 filed his address, or the name and address of an agent, as above provided, service
185 of any notice may be had by filing such notice with the Industrial board.

Sec. 21. No payment, claim, award or decision under this Act shall be
2 assignable or subject to any lien, attachment or garnishment, or be held liable
3 in any way for any lien, debt, penalty or damages. In case of insolvency of
4 the employer, every decision of the Industrial board for compensation under
5 this Act shall, upon the filing of a certified copy of the decision with the recorder
6 of deeds of the county, constitute a lien upon all property of the employer
7 within said county, paramount to all other claim or liens, except for wages and
8 taxes, and mortgages or trust deeds, and such liens shall be enforced by order of
8½ the court. Any right to receive compensation hereunder shall be extinguished by
9 the death of the person or persons entitled thereto, subject to the provisions of
10 this Act relative to compensation for death received in the course of employment:
11 *Provided, that, upon the death of a beneficiary, who is receiving compensation*
12 *provided for in section 7, leaving surviving a parent, sister or brother of the*
13 *deceased employee, at the time of his death dependent upon him for support,*
14 *who were receiving from such beneficiary a contribution to support, then that*
15 *proportion of the compensation of the beneficiary which would have been paid*
16 *but for the death of the beneficiary, but in no event exceeding said unpaid com-*
17 *pensation, which the contribution of the beneficiary to the dependent's support*
18 *within one year prior to the death of the beneficiary bears to the compensation of*
19 *the beneficiary within that year, shall be continued for the benefit of such de-*
20 *pendents, notwithstanding the death of the beneficiary.*

Sec. 26. (a) An employer who elects to provide and pay the compensation
2 provided for in this Act, shall, within ten (10) days of receipt by the employer
3 of a written demand by the Industrial Board (1), file with the board a sworn
4 statement showing his financial ability to pay the compensation provided for in
5 this Act, normally required to be paid, or (2) furnish security, indemnity or a
6 bond guaranteeing the payment by the employer of the compensation provided
7 for in this Act, normally required to be paid, or (3), insure to a reasonable
8 amount his normal liability to pay such compensation in some corporation, as-
9 sociation or organization authorized, licensed or permitted to do such insurance
10 business in this State, or (4), make some other provisions for the securing of

11 the payment of compensation provided for in this Act, normally required to be
12 paid, and shall, within twenty (20) days of the receipt of such written demand,
13 furnish to the board evidence of his compliance with one of the above alterna-
14 tives: *Provided*, that the sworn statement of financial ability, or security, in-
15 demnity or bond, or amount of insurance or other provision, filed, furnished,
16 carried or made by the employer, as the case may be, shall be subject to the ap-
17 proval of the board, upon the approval of which the board shall send to the employ-
18 er written notice of its approval thereof: *And provided, further*, that demand shall
19 not be made upon the employer by the board oftener than once in any calendar
20 year.

21 (b) If no sworn statement or no security, indemnity or bond, or no insur-
22 ance, is filed, furnished or carried, or other provisions made by the employer
23 within ten (10) days of receipt by the employer of the written demand pro-
24 vided for in paragraph (a), or if the statement, security, indemnity, bond or
25 amount of insurance filed, furnished or carried, or other provision made by the
26 employer, as provided in paragraph (a), shall not be approved by the board, and
27 written notice of such non-approval shall be given to the employer and the em-
28 ployer shall not comply with one of the alternatives of paragraph (a) of this
29 section within ten (10) days after the receipt by the employer of such written no-
30 tice of non-approval, then the employer shall be liable for compensation to any
31 injured employee, or his personal representative, according to the terms of this
32 Act, or for damages in the same manner as if the employer had elected not to
33 accept this Act, at the option of such employee, or his personal representative:
34 *Provided*, such option is exercised and written notice thereof is given to the em-
35 ployer within thirty (30) days after the accident to such employee; otherwise
36 the employer shall be liable only for the compensation payable according to the
37 provisions of this Act: *And, provided, further*, that if at any time thereafter
38 the employer shall comply with any of the alternatives of paragraph (a), then
39 as to all accidents occurring after the said compliance, the employer shall only
40 be liable for compensation according to the terms of this Act: *And provided, fur-*
ther, that, upon the failure of any employer to comply with the provisions of

41 *this section, the Industrial Board may, for the purpose of furnishing notice to*
42 *the employees of such employer, publish the fact of such failure by such em-*
43 *ployer in any newspaper having a general circulation in the county where such*
44 *employer does business.*

Sec. 33½. *This Act may be cited as the Workmen's Compensation Act.*



- 1 Introduced by Mr. Carl Green, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to repeal an Act entitled, "An Act to regulate the pursuit of the business, art and avocation of a barber and to insure the better qualifications of persons following such business in the State of Illinois," approved June 10, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act to regulate the pursuit of
3 the business, art and avocation of a barber, and to insure the better qualifica-
4 tions of persons following such business in the State of Illinois, approved June
5 10, 1909, in force July 1, 1909, be and the same is hereby repealed.

- 1 Introduced by Mr. Carl Green, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the certification of teachers," approved June 28, 1913, in force July 1, 1914, by amending section six (6) thereof, and by adding thereto a new section to be known as section six *a* (6*a*).

SECTION 1. *Be it enacted by the People of the State of Illinois*
2 *represented in the General Assembly:* That an Act entitled, "An Act to pro-
3 vide for the certification of teachers," approved June 28, 1913, in force July 1,
4 1914, be and the same is hereby amended by amending section six (6) thereof
5 and adding thereto a new section to be known as section six *a* (6*a*); said section
6 when amended and said section when added shall read as follows:

Sec. 6. County certificates granted by the county superintendent and the
2 requirements for the same shall be as follows:

3 *First*—A third grade elementary school certificate, valid for one year in
4 the first eight grades of the common schools of the county in which it is
5 issued and in no other county. This certificate shall be renewable once only and
6 on evidence satisfactory to the county superintendent of three months' success-

ful teaching or six weeks' professional training. Applicants for this certificate shall be examined in orthography, civics, Illinois history, physiology, penmanship, reading, grammar, geography, United States history, arithmetic, and the principles and methods of the State course of study. This certificate shall not be issued the second time to the same person.

At the option of the county superintendent this certificate may be issued without examination to persons who have successfully completed two years of work in a recognized normal school, or one year of such work if the applicant is a graduate of the tenth grade.

Second—A second grade elementary school certificate valid for two years in the first eight grades of the common schools of the county and in the ninth and tenth grades when endorsed for the same by the county superintendent. This certificate shall be renewable on evidence satisfactory to the county superintendent of six months' successful teaching or twelve weeks' professional training, and a second time if in the period following the date of issue the holder shall have acquired eighteen weeks' professional training in any recognized school providing such training; *and thereafter said certificate shall be renewable indefinitely.* The applicant for this certificate shall be examined in orthography, civics, Illinois history, physiology, penmanship, reading, grammar, geography, United States history, arithmetic, elementary science, pedagogy, and the principles and methods of the State course of study.

At the option of the county superintendent this certificate may be issued without examination to persons who have completed the junior year's work in a recognized normal school, or its equivalent.

Third—A first grade elementary certificate, valid for three years in the first ten grades of the common schools of the county, and in the high school when endorsed for the same by the county superintendent. This certificate shall be renewable indefinitely for periods of three years, upon evidence of successful teaching and professional growth satisfactory to the county superintendent.

37 The requirements for this form of certificate shall be: (1) Graduation
38 from a recognized high school, or an equivalent preparation; (2) six months
39 of successful teaching, and (3) an examination in orthography, including spell-
40 ing, civics, Illinois history, physiology, penmanship, reading, grammar, geo-
41 graphy, United States history, arithmetic, pedagogy, English, algebra, general
42 history, and any three of the following natural sciences: Botany, zoology,
43 physics, chemistry and physiography. This certificate shall be issued to gradu-
44 ates of a recognized normal school, or from an institution offering an equiv-
45 alent preparation, provided the applicant has had one year of successful prac-
46 tice teaching, and applies for the certificate within three years after gradua-
47 tion.

48 *Fourth*—A high school certificate, valid for three years in the high schools
49 of the county. This certificate shall be renewable indefinitely for periods of
50 three years on evidence satisfactory to the county superintendent of successful
51 teaching or supervision and professional growth.

52 The requirements for this form of certificate shall be: (1) Graduation from
53 a recognized high school, or an equivalent preparation; (2) a certificate show-
54 ing the completion of at least two years' successful work in any recognized
55 higher institution of learning, and (3) an examination in English, pedagogy,
56 and six high school subjects, three majors and three minors, chosen from a list
57 prescribed by the examining board hereinafter provided for: *Provided, how-*
58 *ever,* that graduates of a recognized normal school, college or university may
59 offer within three years after graduation, certified credits in lieu of examina-
60 tion in the above subjects accompanied by faculty recommendations of ability
61 to teach in the high school.

62 *Fifth*—A supervisory certificate, valid for three years for supervisory
63 work in any district in the county and for teaching in the schools supervised by
64 the holder. This certificate shall be renewable for three year periods on satis-
65 factory evidence of successful teaching or supervision, and of professional
66 growth. The requirements for this certificate shall be: (1) Graduation from
67 a recognized high school and at least two years' work in a recognized higher

68 institution, one of which shall have been in a normal school, or an equivalent
 69 preparation; (2) two years' successful teaching or supervision, and (3) a suc-
 70 cessful examination in English, educational psychology, the history of educa-
 71 tion, and school administration.

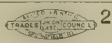
72 *Sixth*—A kindergarten primary certificate, valid for two years in any kin-
 73 dergarten and in the first two grades of the common schools of the county,
 74 providing the kindergarten training school of which the applicant is a graduate
 75 gives adequate preparation for the first two grades of work. This certificate
 76 shall be renewable for two year periods on evidence of successful teaching
 77 satisfactory to the county superintendent.

78 The requirements for this form of certificate shall be graduation from a
 79 recognized high school and from a recognized kindergarten training school, or
 80 the completion of an equivalent course; or in lieu of graduation from such
 81 training school, such examination in English, and the theory and practice of kin-
 82 dergarten and primary work as may be prescribed by the examining board.

83 *Seventh*—A special certificate, valid for two years in the common schools
 84 of the county, renewable for two year periods. Such certificate shall be issued
 85 in music, drawing, agriculture, manual training, domestic science, domestic art,
 86 physical training, penmanship, bookkeeping, German, and such other subjects
 87 as may be added by the examining board and shall authorize the holder to
 88 teach only the subject or subjects named in the certificate.

89 The requirements for this form of certificate shall be graduation from a
 90 recognized high school, or an equivalent preparation, and a certificate showing
 91 the completion in a recognized higher institution of learning of at least two
 92 years' special training, and an examination in English and the principles and
 93 methods of teaching and satisfactory evidence that the applicant has taught or
 94 can teach such subjects successfully.

Sec. 6a. *Whenever the county superintendent of schools of any county*
 2 *shall deem it necessary, he may conduct examinations of his own for the first,*
 3 *second and third grades elementary certificates; such certificates to be valid*
 4 *only in the county wherein it shall be issued.*



- 1 Introduced by Mr. Lipshulch, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend an Act entitled, “An Act concerning local improvements,” approved June 14, 1897, in force July 1, 1897, by amending sections 65, 67 and 68 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, “An Act concerning local improvements,” approved June 14, 1897, in force July 1, 1897, be and the same is hereby amended by amending section 65, section 67 and section 68 thereof so that said sections when amended shall read as inserted at length here in.

Sec. 65. It shall be the duty of the collector on or before the first day of April in each year, to make a report in writing *in cities of twenty thousand (20,000) population or over to the city clerk, and in other places* to the general officer of the county authorized or to be designated by the general revenue laws of this State, to apply for judgment and sell lands for taxes due the county and State, of all the lands, town lots and real property on which he shall be unable to collect special assessments *or special taxes* or installments thereof matured and payable

8 or interest thereon, or interest due to the preceding January 2nd on installments
 9 not yet matured on all warrants in his hands with the amount of such delinquent
 10 special assessment *or special tax* or installments *thereof* and interest together
 11 with his warrants; or in case of an assessment levied to be paid by installments
 12 with a brief description of the nature of the warrant or warrants received by
 13 him, authorizing the collection thereof, which report shall be accompanied with
 14 the oath of the collector that the list is a correct return and report of the lands,
 15 town lots and real property on which the special assessment (or special tax lev-
 16 ied by the authority of the city of———, or town or village of———
 17 as the case may be) or installments thereof or interest remaining due and un-
 18 paid, that he is unable to collect same or any part thereof and that he has given
 19 the notice required by law that such warrants have been received by him for
 20 collection.

Sec. 67. When such *city clerk or general officer* shall receive the report
 2 above provided for, he shall proceed to obtain judgment against said lots and par-
 3 cels of land and property for said special assessments and said special taxes, or
 4 installments thereof, and interest remaining due and unpaid, in the same manner
 5 as is or may be by law provided for obtaining judgment against lands for taxes
 6 due and unpaid the county or State; and shall in the same manner proceed to sell
 7 the same for the said special assessments, special taxes, or installments thereof,
 8 and interest remaining due and unpaid. In obtaining such judgments and mak-
 9 ing such sale, the said *county clerk or general officer* shall be governed by the
 10 general revenue law of the State, except when otherwise provided herein. No
 11 application for judgment against lands for unpaid special taxes or special assess-
 12 ments shall be made at a time different from the annual application for judg-
 13 ment against lands upon which general taxes remain due and unpaid. The ap-
 14 plication for judgment upon delinquent special assessments or special taxes in
 15 each year shall include only such special assessments, special taxes, or install-
 16 ments thereof, and interest as shall have been returned as delinquent to the *city*
 17 *clerk or county collector* on or before the first day of April in the year in which

18 said application is made: *Provided*, that such judgment of sale shall include
19 interest on mature installments up to the date of such judgment, as herein pro-
20 vided.

Sec. 68. After making said sale, the list of lots, parcels of land and pro-
2 perty sold thereat shall be returned to the office of the *city clerk or* county clerk,
3 as *the case may be*, and redemption may be made as provided for by the general
4 revenue law of this State.

- 1 Introduced by Mr. Helwig, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to liens," approved March 25, 1874, in force July 1, 1874, as subsequently amended by adding thereto four (4) new sections to be known as sections 2a, 2b, 2c and 2d.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to liens," approved March 25, 1874, in force July 1, 1874,
4 as subsequently amended, be and the same is hereby amended by adding thereto
5 four (4) new sections to be known as sections 2a, 2b, 2c and 2d, which said sec-
6 tions shall read as inserted at length herein:

Sec. 2a. That every garage keeper who shall in pursuance of any contract,
2 expressed or implied, written or unwritten, furnish any labor, material or sup-
3 plies, shall have a lien upon any automobile or other motor propelled vehicles,
4 stored, maintained, supplied or repaired by him for the proper charges due for
5 the storage, maintenance keeping and repair thereof and for gasoline, elec-
6 tric current or other accessories and supplies furnished, or expenses bestowed or
7 labor performed thereon at the request or with the consent of the owner or the

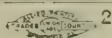
8 person having the possession thereof, whether such person be a conditional ven-
9 dee, or the mortgagor remaining in possession or otherwise, and such garage
10 keeper may detain such automobile or other motor propelled vehicle at any time
11 it may be in his possession, or repossess such automobile or other propelled ve-
12 hicle, whenever it may be found, if out of his possession, and detain said automo-
13 bile or other motor propelled vehicle until such proper charges are fully paid.

Sec. 2b. If such charges are not paid within sixty days after due notice
2 to the registered owner of the license plates of said automobiles or other motor
3 propelled vehicles, said garage keeper may advertise and sell said automobile
4 or other motor propelled vehicle at public auction, in the same manner and af-
5 ter the same notice required in sales of property seized on chattel mortgage,
6 to the highest bidder to satisfy said claim, and the garage keeper may bid on
7 the vehicle so offered for sale. Any surplus received at said sale shall, after
8 all charges of said garage keeper have been paid and satisfied and all costs of
9 sale have been deducted, be returned to the owner of said automobile or other
10 motor propelled vehicle.

Sec. 2c. The person in possession of any automobile or other motor pro-
2 pelled vehicle which has been sold and not re-registered in the office of the Sec-
3 retary of State in compliance with law shall so far as relates to liability for the
4 storage, maintenance, keeping or repair thereof, or for supplies, accessories, el-
5 ectric current, or labor performed, or for expenses bestowed thereon, shall be con-
6 sidered to be the owner of such automobile or other motor propelled vehicle and
7 no prior owner shall be relieved of liabilities for storage, maintenance, keep-
8 ing and repairs, or supplies, gasoline, or labor, until he shall have removed the
9 number of plates issued by the Secretary of State to him and shall have made
10 the Secretary of State the statement provided by law to be made in case of sale
11 of automobile by other than manufacturer and dealer.

Sec. 2d. Wherever, in this Act, is used the term "garage keeper," it shall
2 be construed to include all persons who for hire or reward publicly offer to store,

3 maintain, keep and repair automobiles and other motor propelled vehicles and
4 to furnish accessories and supplies for automobiles or other motor propelled ve-
5 hicles for the transportation of persons or merchandise upon and over the public
6 streets and highways; *provided*, that in municipalities wherein are in force any
7 laws or ordinances relative to the regulation and licensing of garages, no per-
8 son shall be entitled to avail himself of the provisions of this Act unless he shall,
9 during the period of the whole time covered by his claim for lien, have been duly
10 licensed and shall have fully complied with all laws and ordinances relative to
11 the licensing of garages.



- 1 Introduced by Mr. Hubbard, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the appropriation of five thousand (5,000) dollars to the commissioners appointed under an Act entitled, "An Act for the appointment of commissioners and making an appropriation for the construction and erection of a monument in memory of a former Governor, Thomas Carlin, at Carrollton, Illinois," approved June 26, 1913, to complete such monument.

WHEREAS, An Act entitled, "An Act for the appointment of commissioners and making an appropriation for the construction and erection of a monument in memory of a former Governor, Thomas Carlin, at Carrollton, Illinois," was passed by the General Assembly and approved June 26, 1913; and

WHEREAS, The said monument has not been completed and a further appropriation is desired; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand (5,000)

3 dollars, or so much thereof as shall be necessary, be and the same is hereby ap-
4 propriated for the purpose of completing a monument as provided in an Act en-
5 titled, "An Act for the appointment of commissioners and making an appropria-
6 tion for the construction and erection of a monument in memory of a former
7 Governor, Thomas Carlin, at Carrollton, Illinois," approved June 26, 1913, in
8 force July 1, 1913, and the Auditor of Public Accounts is hereby authorized
9 and directed to draw his warrants on the State Treasurer for the payment of
10 all expenditures necessary to carry out the provisions of this Act and of the
11 Act of June 26, 1913, as herein and therein provided upon presentation to him
12 of proper vouchers therefor, certified to by the said commissioners and by
13 and with the approval of the Governor, the State Treasurer is hereby author-
14 ized and directed to pay said warrants out of any funds in the State Treasury
15 not otherwise appropriated.

-
- 1 Introduced by Mr. Watson, March 25, 1915.
2 Read by title, ordered printed and referred to Committee on Roads and Bridges.
-

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, by amending sections thirty-four (34) and thirty-five (35), and adding three (3) new sections to be known as sections 152*a*, 152*b*, and 152*c*.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to roads and bridges," approved June 27, 1913, in force
4 July 1, 1913, be and the same is hereby amended by amending sections thirty-
5 four (34) and thirty-five (35), and by adding thereto three new sections to be
6 known as sections 152*a*, 152*b*, and 152*c*, which said sections when amended and
7 added shall read as inserted at length herein.

Sec. 34. In case the county board shall deem it expedient to build a bridge
2 in any town, road district, *or city or village of less than five thousand (5,000)*
3 *thousand population* therein, the said county board may order the same built
4 at the entire expense of such county. Such bridge shall in such case be con-
5 structed according to plans and specifications prepared by the county superin-
6 tendent of highways, subject to the approval of the State Highway Engineer.

Sec. 35. When it is necessary to construct or repair any bridges over a stream, or any approach or approaches thereto, by means of an embankment or trestle work on a public road, in any town, district *or city or village of less than five thousand (5,000) population* or on or near to or across a town, district or such city or village line, in which work the town, district, *or such city or village* is wholly or in part responsible, and the cost of which will be more than twelve cents on the one hundred dollars on the latest assessment roll, and the levy of the road and bridge tax for two (2) years last past in said town or district was in each year for the full amount allowed by law to be raised therein for all roads and bridge purposes except for damages incurred in laying out, altering, widening or vacating roads, the major part of which levy is needed for the ordinary repair of the roads and bridges, *or in such cities and villages where the levy for corporate purposes was for two years last past in said city or village for the full amount allowed by law to be raised therein for such corporate purposes*, the commissioner of highways, *the city council or the village board of trustees* may petition the county board for aid, and if the foregoing facts shall appear, the county board shall appropriate from the county treasurer a sufficient sum to meet one-half ($\frac{1}{2}$) of the expenses of said bridge or other work, on condition the town or district, *city or village* asking aid shall furnish the other half of the required amount. [Letting contracts.]

When it is determined by the county board to grant the prayer of the highway commissioners, *city council* or village board of trustees asking aid for the construction of such bridge or other expensive work, the county board shall thereupon enter an order directing the county superintendent of highways to prepare plans and specifications for such improvement. The contract for such improvement shall thereupon be let in the manner authorized by said county board subject to the provisions of the law relating to the letting of contracts: *Provided, however*, that no county, town, road district, *city or village* shall be liable for any part of such expense or compelled to pay any part of its appropriation for such purpose until all of the work has been fully completed and accepted by the county superintendent of highways, and such acceptance prop-

erly certified to by said officer and presented to the county board at a meeting held after the completion of said work, which certificate shall contain an itemized account of the expenditures; and a copy thereof shall also be filed with the town, district, city or village clerk, as the case may be.

Sec. 152a. *It shall be unlawful for any person to haul over any turnpike, gravel or macadam road at any time when the road is thawing through, or by reason of wet weather it is in condition to be cut up and injured by heavy hauling, a load on any vehicle with tires less than three inches in width, the combined weight of which load and vehicle, including driver, shall be more than twenty-five hundred pounds, or on any vehicle with tires of three inches and less than four inches in width, the combined weight of which load, vehicle and driver shall be more than three thousand pounds; or any vehicle with tires of four inches and less than five inches in width, the combined weight of which load, vehicle and driver, shall be more than thirty-five hundred pounds; or on any vehicle with tires five inches or over in width, the combined weight of which load, vehicle and driver shall be more than forty-five hundred pounds.*

Sec. 152b. *Any person violating any provision of section 152a of this Act shall, on conviction, be fined not less than five dollars, nor more than fifty dollars for each load so hauled.*

Sec. 152c. *Any road supervisor, road superintendent or constable shall have power to arrest on sight, any person who is seen violating this ordinance, and on conviction of the defendant in such cause there shall be assessed by the court trying the same a fee of two dollars in each case, to be paid to the person making the arrest.*

AMENDMENTS TO
49th G. A. HOUSE BILL No. 523 1915



1 Adopted April 23, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 523 by striking out the words and figures “five thou-
2 sand (5,000)” wherever the same appears in the bill and substitute in lieu there-
3 of the words and figures “fifteen thousand (15,000).”

AMENDMENT NO. 2.

Amend House Bill No. 523, by striking out all of sections 152-a, 152-b, and
.2 152-c.

AMENDMENT NO. 3.

Amend House Bill No. 523 by striking out of the title all words and figures
2 after the words and figures “thirty-five (35).”

AMENDMENTS TO
49th G. A. HOUSE BILL No. 523 1915



1 Adopted April 29, 1915.

AMENDMENT NO. 4.

Amend House Bill No. 523 by striking out all that part of line five in section
2 one of the printed bill, which follows the figures "35" and all that part of line
3 six of said section down to and including the figures and letter "152c".

AMENDMENT NO. 5.

Amend House Bill No. 523 by striking out the word "and" at the end of
2 line 6 in section one of the printed bill, and the word "added" at the beginning
3 of line seven of said section.

- 1 Introduced by Mr. Franz, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend an Act entitled, "An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State," approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891, (approved April 24, 1899, in force July 1, 1899, as amended by Act approved April 24, 1899, in force July 1, 1899).

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 1 of article 1 of "An Act re-
3 gulating the holding of elections and declaring the result thereof in cities, villag-
4 es and incorporated towns in this State," approved June 19, 1885, in force July
5 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891, as
6 amended by Act approved May 16, 1903, in force July 1, 1903, be and the same is
7 hereby amended so as to read as follows, to-wit:

ARTICLE I.

Sec. 1. That the electors of any city now existing in this State may adopt and
2 become entitled to the benefits of this Act in the manner following:

3 Whenever one thousand of the legal voters of such city voting at the last
4 preceding election shall petition the judge of the county court of the county
5 in which such city is located, to submit to a vote of the electors of such city the
6 proposition as to whether such city and the electors thereof shall adopt and
7 become entitled to the benefits of this Act, it shall be the duty of such county
8 court to submit such proposition accordingly at the next succeeding general
9 State, county or municipal election; and if such proposition is not adopted at
10 such election, the same shall in like manner be submitted to a vote of the electors
11 of such city by said county court upon a like application at any general State,
12 county or municipal election thereafter, and an order shall be entered of record
13 in such court submitting such proposition as aforesaid. If one thousand shall
14 exceed one-eighth of the legal voters of any such city voting at the last preceding
15 election, then such petition or application need not be signed or made by more
16 than one-eighth of the legal voters of such city voting at the last preceding el-
17 ection.

18 If in any city of a population of thirty thousand (30,000) or less at any time
19 after this Act has been adopted five hundred of the legal voters of such city vot-
20 ing at the last preceding election shall petition the judge of the county court of
21 the county in which such city is located to submit to a vote of the electors of
22 such city the proposition as to whether such city and the electors thereof shall
23 reject and no longer become entitled to the benefits of this Act, it shall be the
24 duty of such county court to submit such proposition accordingly at the next
25 succeeding general State, county or municipal election, but such proposition
26 shall not be submitted oftener than once in two years.

27 If one thousand shall exceed one-eighth of the legal voters of any such city
28 voting at the last preceding election then said petition or application need not
29 be signed or made by more than one-eighth of the legal voters voting at the
30 last preceding election. The form of ballot shall be as provided in section 3 of
31 this Act.

32 If a majority of the votes cast at such election upon the proposition shall
33 be “Against city election law,” then this Act shall no longer be applicable to
34 such city, but all elections shall thereafter be held as provided by law for cities,
35 villages or towns wherein elections are not carried on under this Act.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 524

1915



2

1 Adopted May 13, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 524 by striking out in line 18, page 2 of the printed
2 bill the words and figures "thirty thousand (30,000)" and insert in lieu thereof
3 the words and figures "one hundred thousand (100,000)".

1 Introduced by Mr. G. H. Wilson, March 25, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to Prevent the Evasion of Laws Prohibiting Marriage.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That if any person residing and intend-
3 ing to continue to reside in this State and who is disabled or prohibited from
4 contracting marriage under the laws of this State shall go into another state or
5 country and there contract a marriage prohibited and declared void by the laws
6 of this State, such marriage shall be null and void for all purposes in this State
7 with the same effect as though such prohibited marriage had been entered into in
8 this State.

Sec. 2. No marriage shall be contracted in this State by a party residing
2 and intending to continue to reside in another state or jurisdiction if such mar-
3 riage would be void if contracted in such other state or jurisdiction and every
4 marriage celebrated in this State in violation of this provision shall be null and
5 void.

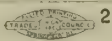
Sec. 3. Before issuing a license to marry a person who resides and intends
2 to continue to reside in another state the officer having authority to issue the li-
3 cense shall satisfy himself by requiring affidavits or otherwise that such person
4 is not prohibited from intermarrying by the laws of the jurisdiction where he or
5 she resides.

Sec. 4. Any official issuing a license with knowledge that the parties are
2 thus prohibited from intermarrying and any person authorized to celebrate mar-
3 riage who shall knowingly celebrate such a marriage shall be guilty of misde-
4 meanor.

Sec. 5. This Act may be cited as the Uniform Marriage Evasion Act.

Sec. 6. This Act shall be so interpreted and construed as to effect its gen-
2 eral purpose to make uniform the law of those states which enact it.

Sec. 7. All Acts or parts of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. G. H. Wilson, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act relating to and regulating Marriage and Marriage Licenses; and to promote Uniformity between the States in Reference Thereto.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That marriage may be validly contracted
3 in this State only after a license has been issued therefor, in the manner fol-
4 lowing:
- 5 1. Before any regularly ordained or appointed minister in regular standing
6 in the church or society to which he belongs, before a judge of any court of
7 record, before a justice of the peace, or before any superintendent of any public
8 institution for the education of the deaf and dumb in this State (and hereinafter
9 designated as the officiating person), by declaring in the presence of at least two
9½ competent witnesses other than such officiating person, that they take each other
10 as husband and wife; or
- 11 2. In accordance with the customs, rules and regulations of any religious
12 society, denomination or sect to which either of the parties may belong, by de-

13 claring in the presence of at least two competent witnesses, that they take each
14 other as husband and wife.

Sec. 2. No persons shall be joined in marriage within this State until a li-
2 cense shall have been obtained for that purpose from the clerk of the county in
3 which one of the parties resides; *provided*, that if both parties be non-residents
4 of the State, such license may be obtained from the clerk of the county where
5 the marriage ceremony is to be performed.

Sec. 3. Application for a marriage license must be made at least five days
2 before the license shall be issued; *provided*, that in cases of emergency, or extra-
3 ordinary circumstances, the Judge of the County Court of the county where appli-
4 cation for a marriage license is made may authorize the license to be issued
5 at any time before the expiration of said five days.

Sec. 4. No license shall be issued unless both of the contracting parties
2 shall be identified to the satisfaction of the proper clerk, who shall further re-
3 quire of the parties, either separately or together, a statement under oath relative
4 to the legality of the contemplated marriage, the date of same, the names, rela-
5 tionship, if any, age, nationality, color, residence, and occupation of the parties,
6 the names of the parents, guardians, or curators of such as are under the age of
7 legal majority, and prior marriage or marriages of the parties, or either of them,
8 and the manner of dissolution thereof; and if there be no legal objection there-
9 to, such clerk shall issue a Marriage License in the form hereinafter prescribed.
10 Or, the parties intending marriage may, either separately or together, appear
11 before any clerk, magistrate, or justice of the peace of the county (whether in
12 this or any other State) wherein either of the contracting parties resides, or of
13 the county where the marriage is to be performed, who shall require of them a
14 statement under oath as above provided; and such statement, having been duly
15 subscribed and sworn to, and the parties having been duly identified, shall be
16 forwarded to the proper county clerk, who, if satisfied after an examination

17 thereof, that the same is in proper legal form, and that no legal objection to the
18 contemplated marriage exists, shall issue a license therefor.

Sec. 5. No license shall be issued for the marriage of a male person under
2 the age of eighteen years, or for the marriage of a female person under the age
3 of sixteen years. If either party shall have reached the age thus specified, and
4 be under the age of twenty-one years, if a male, or under the age of eighteen years
5 if a female, no license shall be issued without the consent of his or her parents,
6 guardian, or curator, or of the parent having the actual care, custody and con-
7 trol of such minor or minors, given before the proper county clerk under oath,
8 or certified under the hand of such parents, guardian or curator as aforesaid,
9 and properly verified by affidavit before a notary public or other official author-
10 ized by law to take affidavits, which certificate shall be filed of record in the office
11 of said county clerk and entered by him on the Marriage License Docket before
12 issuing said license; *Provided*, that if there be no guardian or curator of either
13 or both of such minors, or if there be no competent person having the actual
14 care, custody and control of such minor or minors, then the Judge of the County
15 Court of the county where the minor resides may, after hearing, upon proper
16 cause shown, make an order allowing the marriage of such minor or minors.

Sec. 6. Immediately upon entering an application for a license, the county
2 clerk shall post in his office a notice giving the names and residence of the parties
3 applying therefor, and the date of the application. Any person believing that
4 the statements of the application are false or insufficient, or that the applicants
5 or either of them are incompetent to marry, may file in the County Court
6 in the county in which the license is applied for, which court for this purpose
7 shall be always open, a petition under oath, setting forth the grounds of objec-
8 tion to the marriage, and asking for a rule upon the parties
9 making such application to show cause why the license should
10 not be refused. Whereupon, said court, if satisfied that the grounds of
11 objection are prima facie valid, shall issue a rule to show cause as aforesaid,

12 returnable as the court may direct, but not more than ten days from and after
13 the date of said rule, which rule shall be served forthwith upon the applicants
14 for such license, and upon the clerk before whom such application shall have
15 been made, and shall operate as a stay upon the issuance of the license until
16 further ordered. If, upon hearing, the objections be sustained, the court shall
17 make an order refusing the license; the costs to rest in the discretion of the
18 court; but if the objections be overruled, the party or parties filing the same
19 shall be liable for all costs of the proceedings.

Sec. 7. Any person who shall, in any affidavit or statement required or
2 provided for by section 4, 5, or 6 of this Act, wilfully and falsely swear, or who
3 shall procure another to swear falsely in regard to any material fact relating
4 to the competency of either or both of the parties applying for a Marriage Li-
5 cense, or as to the ages of such parties, if minors, or who shall falsely pretend
6 to be the parent, guardian or curator, having authority to give consent to the
7 marriage of such minors, shall be guilty of a misdemeanor, and upon conviction
8 thereof, be punished by a fine of not less than \$100.00 or more than \$500.00, or
9 by imprisonment in the county jail for not more than one year, or by both such
10 fine and imprisonment.

Sec. 8. Any county clerk who shall knowingly issue a Marriage License
2 contrary to, or in violation of the provisions of this Act shall be guilty of a mis-
3 demeanor, and upon conviction thereof, be punished by a fine of not less than
4 \$100.00 or more than \$500.00, or imprisonment in the county jail for not more
5 than one year, or by both such fine and imprisonment.

Sec. 9. Model forms for blank applications, statements, consent of parents,
2 affidavits, licenses, and marriage certificates and such other forms as shall be
3 necessary to comply with the provisions of this Act shall be prescribed by the
4 State Board of Health and provided at the expense of the State; and a sample
5 copy of each of said forms shall be furnished to the clerk of each county of the

6 State. The county authorities shall furnish, at the cost of said county, to the
7 county clerk all of the aforesaid blanks, together with a suitable book to be
8 called the Marriage License Docket, which said clerk shall keep in his office
9 among his records, and enter therein a complete record of the applications for,
10 and the issuing of all Marriage Licenses, and of all matters which he is required
11 by this Act to ascertain relative to the rights of any person to obtain a license.
12 Said Marriage License Docket shall be open for public inspection or examination
13 at all times during office hours.

Sec. 10. The license shall authorize the marriage ceremony to be per-
2 formed in any county of this State, excepting that where both parties are non-
3 residents of the State, the ceremony shall be performed only in the county in
4 which the license is issued. The license shall be directed "to any person author-
5 ized by the law of this State to solemnize marriage," and shall authorize him
6 to solemnize marriage between the parties therein named, at any time not more
7 than one year from and after the date thereof. If the marriage is to be sol-
8 emnized by the parties without the presence of an officiating person, as pro-
9 vided by paragraph two of section one of this Act, the license shall be directed
10 to the parties to the marriage. If either of the parties be not of the age of legal
11 majority, then his or her age shall be stated, and the fact of the consent of his or
12 her parents, guardian, or curator, shall likewise be stated; and if either of said
13 parties shall have been theretofore married, then the number of times he or she
14 shall have been previously married, and the manner in which the prior marriage
15 or marriages was or were dissolved, shall be stated. The officiating person shall
16 satisfy himself that the parties presenting themselves to be married by him are
17 the parties named in the license; and if he knows of any legal impediment to
18 such marriage, he shall refuse to perform the ceremony. The issue of a license
19 shall not be deemed to remove or dispense with any legal disability, impediment
20 or prohibition rendering marriage between the parties illegal, and the license
21 shall contain a statement to that effect.

Sec. 11: Said license shall be in form substantially as follows:

2 STATE OF ILLINOIS, }
 3 COUNTY OF..... } ss. No.....

4 To any person authorized by the laws of this State to solemnize marriage:

5 You are hereby authorized at any time not more than one year from and
 6 after the date hereof, within the county of..... (not knowing any
 7 legal impediment thereto) to join together in marriage in accordance with the
 8 laws of this State, A..... B aged
 9 and never heretofore married, (or married on the.....day of.....A. D.....,
 10 to E.....F.....said E.....F.....having died on the.....day of.....,
 11 A. D.....; or, said A..... B..... having been divorced from
 12 said E.....F..... by the.....Court of the.....of.....State
 13 of..... on the.....day of.....A. D.....,) and C..... D.....
 14 aged..... and never heretofore married, (or married on the....day of.....A.
 15 D....., to G.....H..... said G.....H....having died on the...day of...
 16 A. D.....; or said C..... D..... having been divorced from
 17 said G..... H..... by the..... Court of the.....
 18 of.....State of.....on the...,.....day of.....A. D....). The
 19 consent of..... the.....of the said A..... B..... and of
 20, the of the said C..... D..... having been duly given.
 21 The issue of this license shall not be deemed to remove or dispense with any legal
 22 disability, impediment or prohibition rendering marriage between the parties
 23 illegal.

23½ Given under my hand and seal of the.....,.... of..... at.....State
 24 of Illinois this.....day of.....Anno Domini one thousand nine hundred
 25 and

26

27 (SEAL) County Clerk.

5 I,hereby certify that on the.....day of.....
6 Anno Domini one thousand nine hundred andat.....in the County
7 of..... State of Illinois, A..... B..... of..... State of
8 and C..... D..... of..... State of.....

9 were by me united in marriage as authorized by a Marriage License issued for
10 that purpose by the County Clerk of the County of.....and State of Illi-
11 nois, numbered.....and dated the.....day of....., A. D. 19....

12 Signed
13 (Official designation)

14 We, the undersigned were present at the marriage of A..... B.....
15 and C.....D....., as set forth in the foregoing certificate, at their
16 request, and heard their declaration that they took each other for husband and
17 wife.

18 D..... E.....
19 F..... G.....

20 But, if as provided by section 12 of this Act, the license has been issued to the
21 parties themselves, then the certificate (in triplicate) shall be in form substan-
22 tially as follows:

23 MARRIAGE CERTIFICATE.

24 We hereby certify that on the.....day of.....Anno Domini
25 one thousand nine hundred and.....we united ourselves in marriage in accord-
26 ance with the customs, rules and regulations of the.....at.....in
27 the..... of..... and State of Illinois having first obtained from
28 the County Clerk of the County of....., State of Illinois, a Marriage Li-
29 cense numbered..... and dated the.....day of....., A. D. 19...,
30 certifying that he was satisfied that there was no legal impediment to our so
31 doing.

32 A..... B.....
33 C..... D.....

34 We, the undersigned were present at the marriage of A..... B.....
35 and C..... D....., as set forth in the foregoing certificate, at their re-
36 quest, and heard their declarations that they took each other as husband and wife.

37 D..... E.....
38 F..... G.....

39 And the triplicate certificate in each case shall contain the following words:
40 "N. B. This triplicate certificate must be returned to the County Clerk who is-
41 sued the license within thirty days from the date of the marriage."

Sec. 14. The Marriage Certificates marked "original" and "duplicate,"
2 duly signed, shall be given by the officiating person to the persons married by
3 him; and the certificate marked "triplicate" shall be returned by such offici-
4 ating person, or, in the case of a marriage ceremony performed without an offici-
5 ating person, then by the parties to the marriage contract, or either of them, to
6 the County Clerk who issued the license, within thirty days after the date of
7 said marriage.

Sec. 15. The said County Clerk upon receiving such triplicate certificate,
2 shall immediately enter the same on the Docket where the Marriage License of
3 said parties is recorded, and place such certificate on file.

Sec. 16. If any officiating person shall solemnize a marriage unless the
2 contracting parties shall first have obtained a proper license as hereinbefore
3 provided; or unless the parties to such marriage declare that they take each
4 other as husband and wife; or without the presence of two competent wit-
5 nesses; or, in the case of a minor or minors, unless the consent, as hereinbefore
6 provided, of the parent, guardian or curator of such minor or minors be stated
7 in such license; or shall solemnize a marriage knowing of any legal impedi-
8 ment thereto; or shall solemnize a marriage more than one year from and after
9 the date of the license; or shall falsely certify to the date of a marriage sol-
10 emnized by him; or shall solemnize a marriage in a county other than the
11 county prescribed in section 10 of this Act, he shall be guilty of a misdemeanor,
12 and on conviction thereof, shall be punished by a fine of not less than \$100.00
13 or more than \$500.00, or by imprisonment in the county jail for not more than
14 one year, or by both such fine and imprisonment.

Sec. 17. Where a marriage is solemnized without the presence of an officiating person, then, and in that case, if the parties to such marriage shall solemnize the same more than one year from and after the date of the license; or shall falsely certify to the date of such marriage or shall solemnize the same in a county other than the county prescribed in section 10 of this Act, they or either of them shall be guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not less than \$100.00 or more than \$500.00, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

Sec. 18. If any person, not being duly authorized by the laws of this State, shall wilfully or knowingly undertake to solemnize a marriage in this State, he shall be guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine of not less than \$100.00 or more than \$1,000.00, or by imprisonment in the county jail for not more than one year, or by both such fine and imprisonment.

Sec. 19. Every officiating person, or persons marrying without the presence of an officiating person, as provided by paragraph 2 of section 1 of this Act, who shall neglect or refuse to transmit the triplicate certificate of any marriage solemnized by him or them, to the County Clerk issuing the license within thirty days after the date of such marriage, shall be fined the sum of one hundred dollars.

Sec. 20 Any County Clerk who shall refuse or neglect to enter upon the Marriage License Docket a complete record of each application, and of each Marriage License issued from his office, immediately after the same shall have been made or issued, as the case may be, or to enter the triplicate certificate of any marriage upon the Marriage License Docket, as required by section 15 of this Act, or shall fail to keep such Marriage License Docket open for inspection or examination by the public during office hours, or shall prohibit or prevent any person from making a copy or abstract of the entries in the Marriage License Docket, shall for each such illegal act, omission or denial, be fined the sum of fifty dollars.

Sec. 21. Any fine or forfeiture accruing under the provisions of this Act
2 may be recovered by an action of debt, in the same manner as other debts are
3 recovered by law, with the usual costs, in any court of record in any county in
4 this State in which the defendant or defendants may be found.

Sec. 22. A copy of the record of the Marriage License, and Marriage Cer-
2 tificate, certified under the hand of said County Clerk and the seal of the court,
3 shall be received in all courts of this State as *prima facie* evidence of such mar-
4 riage between the parties therein named.

Sec. 23. All marriages hereafter contracted in violation of any of the re-
2 quirements of section 1 of this Act shall be null and void, (except as provided
3 in sections 24 and 25 of this Act); *Provided*, that the parties to any such void
4 marriage may, at any time, validate such marriage by complying with the re-
5 quirements of this Act, and the issue thereof, if any, shall thereupon become le-
6 gitimate, as provided by section 27 of this Act.

Sec. 24. No marriage hereafter contracted shall be void by reason of want
2 of authority or jurisdiction in the officiating person solemnizing such marriage,
3 if the marriage is in other respects lawful, and is consummated with the full be-
4 lief on the part of the persons so married, or either of them, that they have been
5 lawfully joined in marriage.

Sec. 25. No marriage hereafter contracted shall be void either by reason
2 of the license having been issued without the consent of the
3 parents, guardians or curator of a minor, or by a County Clerk not
4 having jurisdiction to issue the same, or by reason of any omission, informality
5 or irregularity of form in the application for the license or in the license itself,
6 or by reason of the incompetency of the witnesses to such marriage, or because
7 the marriage may have been solemnized in a county other than the county pre-
8 scribed in section 10 of this Act, or more than one year after the date of the

9 license, if the marriage is in other respects lawful and is consummated with the
10 full belief on the part of the persons so married, or either of
11 them, that they have been lawfully joined in marriage. Where
12 a marriage has been celebrated in one of the forms provided for in sec-
13 tion 1 of this Act, and the parties thereto have immediately thereafter assumed
14 the habit and repute of husband and wife, and have continued the same uninter-
15 ruptedly thereafter for the period of one year, or until the death of either of them,
16 it shall be deemed that a license has been issued as required by this Act.

Sec. 26. If a person during the lifetime of a husband or wife with whom
2 the marriage is in force, enters into a subsequent marriage contract in accord-
3 ance with the provisions of section 1 of this Act, and the parties thereto live to-
4 gether thereafter as husband and wife, and such subsequent marriage contract
5 was entered into by one of the parties in good faith, in the full belief that the
6 former husband or wife was dead, or that the former marriage had been an-
7 nulled, or dissolved by a divorce, or without knowledge of such former marriage,
8 they shall, after the impediment to their marriage has been removed by the
9 death, or divorce of the other party to such former marriage, if they continue to
10 live together as husband and wife in good faith on the part of one of them, be held
11 to have been legally married from and after the removal of such empediment,
12 and the issue of such subsequent marriage shall be considered as the legitimate
13 issue of both parents.

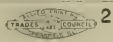
Sec. 27. In any and every case where the father and mother of an illegiti-
2 mate child or children shall lawfully intermarry, such child or children shall there-
3 by become legitimated, and enjoy all the rights and privileges of legitimacy as
4 if they had been born during the wedlock of their parents; and this section shall
5 be taken to apply to all cases prior to its date, as well as those subsequent
6 thereto: *Provided*, that no estate already vested shall be divested by this
7 Act.

Sec. 28. The County Clerk of each county shall, on or before the first day
2 of February in each year, make return to the State Board of Health of this
3 State, upon suitable blank forms to be provided by the State, of a statement of
4 all marriage licenses issued by him during the preceding calendar year, includ-
5 ing all the facts required to be ascertained by him upon the issuing of each
6 license; and shall also make return of a statement of all marriage certificates
7 which shall have been returned to him during such period; and upon neglect
8 or refusal so to do, such County Clerk shall forfeit and pay the sum of one hundred
9 dollars for the use of the proper county.

Sec. 29. This Act shall be so interpreted and construed as to effectuate
2 its general purpose to make uniform the law of those states which enact it.

Sec. 30. This Act may be cited as the Uniform Marriage License Act.

Sec. 31. All Acts or parts of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. Ellis, March 25, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act in regard to the transfer of title to shares of stock in corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* How Title to Certificates and Shares May
3 Be Transferred.] Title to a certificate and to the shares represented thereby can
4 only be transferred:

5 (a) By delivery of the certificate if indorsed either in blank or to a specified
6 person by the person appearing by the certificate to be the owner of the shares
7 represented thereby, or

8 (b) By delivery of the certificate and a separate document containing a
9 written assignment of the certificate or a power of attorney to sell, assign or
10 transfer the same or the shares represented thereby, signed by the person appear-
11 ing by the certificate to be the owner of the shares represented thereby. Such
12 assignment or power of attorney may be either in blank or to a specified
13 person.

14 The provisions of this section shall be applicable although the charter or
15 articles of incorporation or code of regulations or by-laws of the corporation
16 issuing the certificate, and the certificate itself, provide that the shares repre-

17 sented thereby shall be transferable only on the books of the corporation or
18 shall be registered by a registrar or transferred by a transfer agent.

Sec. 2. Powers of Those Lacking Full Legal Capacity and of Fiduciaries
2 Not Enlarged.] Nothing in this Act shall be construed as enlarging the powers
3 of an infant or other person lacking full legal capacity, or of a trustee, executor
4 or administrator, or other fiduciary, to make a valid indorsement, assignment or
5 power of attorney.

Sec. 3. Corporation Not Forbidden to Treat Registered Holder as Owner.]
2 Nothing in this Act shall be construed as forbidding a corporation:
3 (a) To recognize the exclusive right of a person registered on its books as
4 the owner of shares to receive dividends, and to vote as such owner.
5 (b) To hold liable for calls and assessments a person registered on its books
6 as the owner of shares.

Sec. 4. Title Derived from Certificate Extinguishes Title Derived from a
2 Separate Document.] The title of a transferee of a certificate under a power of
3 attorney or assignment not written upon the certificate, and the title of any
4 person claiming under such transferee, shall cease and determine if, at any time
5 prior to the surrender of the certificate to the corporation issuing it, another per-
6 son, for value in good faith, and without notice of the prior transfer, shall pur-
7 chase and obtain delivery of such certificate with the indorsement of the person
8 appearing by the certificate to be the owner thereof, or with the written assign-
9 ment or power of attorney of such person, though contained in a separate
10 document.

Sec. 5. Who May Deliver a Certificate.] The delivery of a certificate to
2 transfer title in accordance with the provisions of section 1, is effectual, except
3 as provided in section 7, though made by one having no right of possession and
4 having no authority from the owner of the certificate or from the person pur-
5 porting to transfer the title.

Sec. 6. Transfer Effectual in Spite of Fraud, Duress, Mistake, Revocation,

2 Death, Incapacity or Lack of Consideration or Authority.] Delivery of a cer-
3 tificate indorsed by the person appearing by the certificate to be the owner of the
4 shares represented thereby is effectual, except as provided in section 7, to trans-
5 fer title to the certificate and to the shares represented thereby, though the in-
6 dorser or transferor.

7 (a) Was induced by fraud, duress or mistake to make the indorsement or
8 delivery, or

9 (b) Has revoked the delivery of the certificate, or the authority given by
10 the indorsement, or

11 (c) Has died or become legally incapacitated after the indorsement, whether
12 before or after the delivery of the certificate.

13 (d) Received no consideration.

Sec. 7. Rescission of Transfer.] If the transfer of a certificate, or the

2 shares represented thereby,

3 (a) Was procured by fraud or duress, or

4 (b) Was made under such mistake as to make the transfer inequitable, or

5 (c) Was made without authority from the owner, or

6 (d) Was made after the death or legal incapacity of the owner, the trans-

7 fer may be rescinded or set aside unless and until the certificate has been trans-

8 ferred to a purchaser for value in good faith without notice of any facts making

9 the transfer wrongful, and any court of appropriate jurisdiction may enforce

10 specifically such right to rescind or set aside the transfer and, pending litigation,

11 may enjoin the further transfer of the certificate, or impound it.

Sec. 8. Rescission of Transfer of Certificate Does Not Invalidate Subse-

2 quent Transfer by Transferee in Possession.] Although the transfer of a certifi-

3 cate or of shares represented thereby has been rescinded or set aside, neverthe-

4 less, if the transferee has possession of the certificate or of a new certificate

5 representing part or the whole of the same shares of stock, a subsequent trans-

6 fer of such certificate by the transferee, mediately or immediately, to a pur-
 7 chaser for value in good faith, without notice of any facts making the transfer
 8 wrongful, shall give such purchaser an indefeasible right to the certificate and
 9 the shares represented thereby.

Sec. 9. Delivery of Unindorsed Certificate Imposes Obligation to Indorse.]

2 The delivery of a certificate by the person appearing by the certificate to be the
 3 owner thereof without the indorsement requisite for the transfer of the certificate
 4 or the shares represented thereby, but with intent to transfer such certificate or
 5 shares shall impose an obligation, in the absence of an agreement to the con-
 6 trary, upon the person so delivering, to complete the transfer by making the
 7 necessary indorsement. This obligation may be specifically enforced. The trans-
 8 fer shall take effect as of the time when the indorsement is actually made.

Sec. 10. Ineffectual Attempt to Transfer Amounts to a Promise to Trans-

2 fer.] An attempted transfer of title to a certificate or to the shares represented
 3 thereby without delivery of the certificate shall have the effect of a promise to
 4 transfer and the obligation, if any, imposed by such promise shall be determined
 5 by the law governing the formation and performance of contracts.

Sec. 11. Warranties on Sale of Certificate.] A person who for value

2 transfers a certificate, including one who assigns for value a claim secured by a
 3 certificate, unless a contrary intention appears, warrants:

- 4 (a) That the certificate is genuine.
- 5 (b) That he has a legal right to transfer it.
- 6 (c) That he has no knowledge of any fact which would impair the validity
 7 of the certificate.

8 In the case of an assignment of a claim secured by a certificate, the liability
 9 of the assignor for breach of such warranty shall not exceed the amount of
 10 the claim.

Sec. 12. No Warranty Implied from Accepting Payment of a Debt.] A

2 mortgagee, pledgee, or other holder for security of a certificate, who in good
3 faith demands or receives payment of the debt for which such certificate is se-
4 curity, whether from a party to a draft drawn for such debt, or from any other
5 person, shall not by so doing be deemed to represent or to warrant the genuine-
6 ness of such certificate, or the value of the shares represented thereby.

Sec. 13. No Attachment or Levy Upon Shares Unless Certificate Surren-

2 dered or Transfer Enjoined.] No attachment or levy upon shares of stock for
3 which a certificate is outstanding shall be valid until such certificate be actually
4 seized by the officer making the attachment or levy, or be surrendered to the
5 corporation which issued it, or its transfer by the holder be enjoined. Except
6 where a certificate is lost or destroyed, such corporation shall not be compelled
7 to issue a new certificate for the stock until the old certificate is surrendered to
8 it.

Sec. 14. Creditor's Remedies to Reach Certificate.] A creditor whose

2 debtor is the owner of a certificate shall be entitled to such aid from courts of
3 appropriate jurisdiction, by injunction or otherwise, in attaching such certificate
4 or in satisfying the claim by means thereof as is allowed at law or in equity in
5 regard to property which can not readily be attached or levied upon by ordinary
6 legal process.

Sec. 15. There Shall Be No Lien or Restriction Unless Indicated on Cer-

2 tificate.] There shall be no lien in favor of a corporation upon the shares repre-
3 sented by a certificate issued by such corporation and there shall be no restric-
4 tion upon the transfer of shares so represented by virtue of any by-laws of such
5 corporation, or otherwise, unless the right of the corporation to such lien or the
6 restriction is stated upon the certificate.

Sec. 16. Alteration of Certificate Does Not Divest Title to Shares.] The

2 alteration of a certificate, whether fraudulent or not, and by whomsoever made,

3 shall not deprive the owner of his title to the certificate and the shares originally
4 represented thereby, and the transfer of such a certificate shall convey to the
5 transferee a good title to such certificate and to the shares originally represented
6 thereby.

Sec. 17. Lost or Destroyed Certificate.] Where a certificate has been lost
2 or destroyed, a court of competent jurisdiction may order the issue of a new
3 certificate therefor upon reasonable notice by publication, and in any other way
4 which the court may direct, to all persons interested, and upon satisfactory proof
5 of such loss or destruction and upon the giving of a bond with sufficient sureties,
6 to be approved by the court, to protect the corporation issuing the certificate
7 from any liability or expense, which it or any person injured by the issue of the
8 new certificate may incur by reason of the original certificate remaining outstand-
9 ing. The court may also, in its discretion, order the payment of the corpora-
10 tion's reasonable costs and counsel fees.

11 The issue of a new certificate under an order of the court as provided in
12 this section, shall not relieve the corporation from liability in damages to a per-
13 son to whom the original certificate has been or shall be transferred for value
14 without notice of the proceedings or of the issuance of the new certificate.

Sec. 18. Rule for Cases Not Provided for by This Act.] In any case not
2 provided for by this Act, the rules of law and equity, including the law merchant,
3 and in particular the rules relating to the law of principal and agent, and to the
4 effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy or
5 other invalidating cause, shall govern.

Sec. 19. Interpretation Shall Give Effect to Purpose of Uniformity.] This
2 Act shall be so interpreted and construed as to effectuate its general purpose to
3 make uniform the law of those States which enact it.

Sec. 20. Definition of Indorsement.] A certificate is indorsed when an as-
2 signment or a power of attorney to sell, assign or transfer the certificate or the

3 shares represented thereby is written on the certificate and signed by the person
4 appearing by the certificate to be the owner of the shares represented thereby,
5 or when the signature of such person is written without more upon the back of
6 the certificate. In any of such cases a certificate is indorsed though it has not
7 been delivered.

Sec. 21. Definition of Person Appearing to Be the Owner of Certificate.]

2 The person to whom a certificate was originally issued is the person appearing
3 by the certificate to be the owner thereof and of the shares represented thereby,
4 until and unless he indorses the certificate to another specified person, and
5 thereupon such other specified person is the person appearing by the certificate
6 to be the owner thereof, until and unless he also indorses the certificate to another
7 specified person. Subsequent special indorsements may be made with like effect.

Sec. 22. Other Definitions.] (1) In this Act, unless the context or subject

2 matter otherwise requires:

3 "Certificate" means a certificate of stock in a corporation organized under
4 the laws of this State or of another state whose laws are consistent with this
5 Act.

6 "Delivery" means voluntary transfer of possession from one person to
7 another.

8 "Person" includes a corporation or partnership of two or more persons
9 having a joint or common interest.

10 To "purchase" includes to take as mortgagee or as pledgee.

11 "Purchaser" includes mortgagee and pledgee.

12 "Shares" means a share or shares of stock in a corporation organized
13 under the laws of this State or another state whose laws are consistent with this
14 Act.

15 "Value" is any consideration sufficient to support a simple contract. An ante-
16 cedent or pre-existing obligation, whether for money or not, constitutes value
17 where a certificate is taken either in satisfaction thereof or as security therefor.

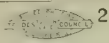
18 (2) A thing is done “in good faith” within the meaning of this Act, when it
19 is in fact done honestly, whether it be done negligently or not.

Sec. 23. Act Does Not Apply to Existing Certificates.] The provisions of
2 this Act apply only to certificates issued after the taking effect of this Act.

Sec. 24. This Act may be cited as the Uniform Stock Transfer Act.

Sec. 25. This Act shall be so interpreted and construed as to effect its
2 general purpose to make uniform the law in those states which enact it.

Sec. 26. All Acts or parts of Acts inconsistent with this Act are repealed.



- 1 Introduced by Committee on Appropriations, March 26, 1915.
- 2 Read by title, ordered printed and to a second reading.

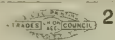
A BILL

For an Act making an appropriation to meet the deficiencies in the appropriations to the Board of Commissioners of State contracts for the purchase of printing paper and stationery for public printing, and for public binding under contract by the State of Illinois.

SECTION 1. <i>Be it enacted by the People of the State of Illinois,</i>		
2	<i>represented in the General Assembly:</i> That fo the purpose of meeting the defi-	
3	ciencies in the appropriation for printing paper and stationery for public print-	
4	ing and for public binding, and to provide the necessary funds for said pur-	
5	poses for the period ending September 30, 1915, there be and is hereby appro-	
6	priated to the Board of Commissioners of State contracts the following:	
7	For printing paper and stationery, the sum of thirty-five thousand dol-	
8	lars	\$35,000
9	For public printing, the sum of forty thousand dollars	40,000
10	For public binding, the sum of twenty-five thousand dollars	25,000
11	Total one hundred thousand dollars	\$100,000

Sec. 2. The auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants upon the State Treasurer for the sums herein appropriated,
3 said warrants to be drawn only on itemized bills, signed by the Board of Commis-
4 sioners of State Contracts, and the State Treasurer is hereby directed to pay
5 said warrants, drawn as aforesaid, out of any funds in the State treasury not
6 otherwise appropriated.

Sec. 3. WHEREAS, An emergency exists; therefore, this Act shall be in
2 force from and after its passage and approval.



- 1 Introduced by Mr. W. J. Graham, March 26, 1915.
- 2 Read by title, ordered printed and referred to the Committee on Revenue.

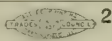
A BILL

For an Act to amend section one hundred and eighty-two of an Act entitled, "An Act for the assessment of property and for the levy and collection of taxes" approved March 30, 1872, in force July 1, 1872 with Acts amendatory thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section one hundred eighty-two of an Act entitled "An Act for the assessment of property and for the levy and collection of taxes" approved March 30, 1872 and in force July 1, 1872, with amendments amendatory thereof, be and the same is hereby amended to read as follows, to-wit:

Sec. 182. At any time after the first day of April next after such delinquent taxes and special assessments on lands and lots shall become due, the collector shall publish an advertisement, giving notice of the intended application for judgment for sale of such delinquent lands and lots, in a newspaper *printed and* published in his county, if any such there be, and if there be no such paper *printed and* published in his county, then in the nearest newspaper in this state to the county seat of such county. Said advertisement shall be

8 once published at least three weeks previous to the term of the county court
9 at which judgment is prayed, and shall contain a list of the delinquent lands and
10 lots upon which the taxes or special assessments remain due and unpaid, the
11 names of owners, if known, the total amount due thereon, and the year or years
12 for which the same are due. Said collector shall give notice that he will apply
13 to the county court at the term thereof, for judgment against
14 said lands and lots for said taxes, special assessments, interest and costs, and
15 for an order to sell said lands and lots for the satisfaction thereof; and shall al-
16 so give notice that, on the Monday next succeeding the day fixed by
17 law for the commencement of such term of the said county court, all the lands
18 and lots for the sale of which an order shall be made, will be exposed to public
19 sale at the building where the county court is held in said county, for the
20 amount of taxes, special assessments, interest and cost due thereon; and the ad-
21 vertisement published according to the provisions of this section shall be deemed
22 to be sufficient notice of the intended application for judgment and of the sale
23 of lands and lots under the order of said court. Where the publisher of any
24 paper that may have been selected by the collector shall be unable or unwilling
25 to publish such advertisement, the collector shall select some other newspaper,
26 having due regard to the circulation of such paper.



- 1 Introduced by Mr. W. J. Graham, March 26, 1915.
- 2 Read by title, ordered printed and referred to the Committee on Revenue.

A BILL

For an Act to amend section twenty-nine of an Act entitled “An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named” approved February 25, 1898, and in force July 1, 1898, with Acts amendatory therof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section twenty-nine of an Act entitled “An Act for the assessment of property and providing the means therefor, and to repeal a certain Act therein named”, approved February 25, 1898, and in force July 1, 1898, with Acts amendatory thereof, be and the same is hereby amended to read as follows: to-wit:

Sec. 29. As soon as the county assessor or supervisor of assessments shall have completed the assessment in the year A. D. 1907, he shall cause to be published a full and complete list of such assessment by township or assessment districts, which publication shall be made on or before July 10, of each year in some public newspaper or newspapers *printed and* published in said county: *Provided*, that in every township or assessment district in which

7 there is published one or more newspapers of general circulation the list of such
8 township or assessment district shall be published in one of said newspapers so
9 *printed and* published in said township or assessment district: *And, pro-*
10 *vided,* that said newspaper shall not receive for the publishing of said assess-
11 ment list to exceed three (3) cents per name for each person or corporation so
12 assessed and if impossible to secure publication at that price, that the publica-
13 tion be let to the lowest bidder at a price not exceeding five cents per tract, and
14 shall furnish to the county assessor, the county supervisor of assessments and
15 the board of review as many copies of said paper containing the assessment list
16 as they may require, said papers so furnished not to cost to exceed five (5)
17 cents per copy: *Provided, further,* that after the year 1907, the publication
18 shall only be of the assessment of personal property and the changes made, if
19 any, in real estate, but the real estate assessment shall be published in full
20 every four (4) years, beginning with the year 1907: *Provided, further,*
21 that in the counties of 125,000 inhabitants or over, no assessment of real estate
22 shall be published as herein provided until such assessment shall have been
23 equalized, revised or affirmed by the board of review, and when the board of re-
24 view shall have acted upon the assessment list of real property, as herein pro-
25 vided in the year 1907 and every four years thereafter, the assessors and board
26 of review shall cause to be published a full and complete list of such assessment
27 on real property, together with all changes made by the board of review under
28 the authority of this Act, such changes to be indicated in a separate column,
29 such publication to be in pamphlet form by election districts in lieu of publica-
30 tion in a newspaper: *And, provided,* that the board of review shall cause to be
31 mailed to each taxpayer in said election precinct a copy of the said list for his
32 precinct: *Provided, further,* that in case said assessment is not publish-
33 ed in conformity with law and was not mailed in accordance with the provisions
34 of this Act, the failure to so publish the same or mail the same shall not be con-
35 sidered as a valid objection to a judgment for tax sale in the county court. The
36 expense of such printing and publication shall be paid out of the county treas-
37 ury.

1 Introduced by Mr. Hubbard, March 26, 1915.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to secure a uniform system of text-books in all the public schools of the State of Illinois, except in cities having a population exceeding 100,000 inhabitants, creating a commission therefor, defining its duties and powers, and prescribing penalties for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois*
2 *represented in the General Assembly:* That there is hereby created a State text
3 book commission, which shall consist of the State Superintendent of Public In-
4 struction, *ex-officio*, and six citizens of this State to be appointed by the Gover-
5 nor, two of whom shall be County Superintendents of Schools, two shall be city
6 superintendents of schools and two, teachers who have been actively and continu-
7 ously engaged in the public school work in this State during the three years im-
8 mediately preceding their appointment no two of whom shall be residents of, or
9 appointed from, the same county. The six appointive members shall be chosen
10 not later than the fifteenth day of July, one thousand nine hundred and fifteen,
11 and shall hold office for a term of five years from said date or until their respec-
12 tive successors shall have been appointed and qualified, unless sooner removed;

13 and upon the expiration of their term, their respective successors shall be ap-
14 pointed for a term of five years. Any vacancy in the office of an appointive
15 member shall be filled by the Governor for the unexpired term.

Sec. 2. No one shall be appointed a member of the commission who is in-
2 terested as author, associate author or publisher of any book or books, of the
3 kind intended for use in the elementary schools of this or any other State; or
4 who, at any time, shall have been pecuniarily interested, directly or indirectly,
5 in the business or profits of any person, firm or corporation anywhere engaged
6 in manufacturing, publishing or selling school text-books, or who, at any time,
7 shall have been an agent, representative or employee of any such person, firm
8 or corporation; or who shall be relative of any such agent, representative or em-
9 ployee, or a relative of any one financially interested, directly or indirectly, in
10 any such person firm or corporation, or who is related by affinity or consan-
11 guinity to the superintendent of public instruction. If at any time within the
12 term of any member of the commission, it shall be disclosed that he is in any par-
13 ticular lacking in the qualifications prescribed in this section, the office of such
14 member shall be thereby forfeited and his successor appointed for the unexpir-
15 ed term.

Sec. 3. Before entering upon his duties as a member of the commission,
2 each appointive member shall take and subscribe an oath that he will diligently,
3 honestly and impartially perform the duties of his office; that he will not know-
4 ingly violate or permit to be violated any of the provisions of this Act; and that
5 he possesses all of the qualifications prescribed in section 2 hereof. The oath so
6 subscribed shall be filed with the Secretary of State.

Sec. 4. The commission shall meet and organize not later than the fifteenth
2 of August, 1915, upon call of the State Superintendent of Public Instruction. A
3 majority of the commission shall constitute a quorum for the transaction of its
4 business; but the concurrence of a majority of all its members shall be necessary
5 for the adoption of text-books and the making or awarding of contracts therefor

6 as provided by this Act. The commission shall elect one of its members presi-
7 dent. The State Superintendent of Public Instruction shall be, *ex-officio*, sec-
8 retary of the commission, and, as such secretary, shall have custody of its records,
9 papers and effects, which shall be kept at his office and shall be open for public
10 inspection. He shall keep a correct record of all acts, votes and proceedings
11 of the commission, which votes shall be by yea and nay and shall be noted in such
12 record. Special meetings of the commission shall be held at the call of the sec-
13 retary or of a majority of its members. All meetings shall be public.

Sec. 5. It shall be the duty of such commission to select and adopt a uni-
2 form series of text-books, for use in the public schools of all school districts in
3 this State, except as hereinafter provided, and the series so adopted shall em-
4 brace all the branches of studies taught in such schools up to and including the
5 eighth grade. Nothing herein contained shall be construed to prevent private
6 or parochial schools from contracting for or using any of the text-books so
7 adopted; or to prevent the use of supplementary text-books in any of the schools
8 of this State, or the use of any German text-book in any grade below the high
9 school; but such supplementary text-books shall not be used to the exclusion of
10 text-books adopted under the provisions of this Act.

Sec. 6 Immediately after its organization, and in such manner as it may
2 deem best, such commission shall advertise and give notice for at least thirty
3 days for sealed bids or proposals from publishers for furnishing text-books, to
4 special school districts and districts operating under the general school law of
5 Illinois, up to and including the eighth grade as may avail themselves of the pro-
6 visions of this Act, for a period of five years commencing on the 1st day of Sep-
7 tember, one thousand nine hundred and fifteen. Each bid shall state specifically
8 and clearly the retail price at which each of such text-books shall be furnished
9 to pupils and also the exchange price thereof. Such bids shall be filed with the
10 secretary of the commission and shall in each case be accompanied by specimen
11 copies of each and all text-books so proposed to be furnished. Each bidder

12 shall deposit with the secretary of the commission a certified check in such sum
 13 as the commission may require, but in no case greater than twenty-five hundred
 14 dollars, which sum so named in such check shall be forfeited to the State and
 15 placed to the credit of the State common school fund, if such bidder so deposit-
 16 ing the same shall fail to make and execute such contract and bond as provided in
 17 this Act within such time as the commission may require, which time shall be
 18 specified in the notice. The checks of unsuccessful bidders shall be promptly
 19 returned to them, and likewise the checks of such successful bidders as execute
 20 their contracts and file therewith their bonds as required by this Act. The com-
 21 mission shall reserve the right to reject any and all bids and to reject any bid
 22 as to any portion of such text-books and to accept the same as to the residue
 23 thereof.

Sec. 7. The commission shall meet at the time and place mentioned in the no-
 2 tice and shall then and there open and examine the sealed proposals submitted,
 3 and shall make thorough investigation of such proposals and the text-books
 4 accompanying the same. Each bidder may file a written statement relative to
 5 the merits of the text books under consideration, or may appear before the com-
 6 mission for such purpose either in person or by an agent or agents; and every
 7 person so appearing shall file with the commission an affidavit showing in what
 8 capacity he appears and whether he has received or has a contract to receive
 9 pay therefor; but no State official of this State shall be allowed to appear be-
 10 fore the commission as the agent or representative of any bidder. The com-
 11 mission shall proceed without delay to adopt text-books for use in the schools
 12 hereinbefore mentioned, and shall notify all bidders to whom contracts are
 13 awarded. During the continuance of such contracts it shall be the duty of the
 14 State Superintendent of Public Instruction to preserve in his office the speci-
 15 men copies of text-books so adopted, together with the original bids and pro-
 16 posals.

Sec. 8. No bid shall be considered unless it be accompanied by an affidavit of the bidder stating the names and addresses of all agents representing such bidder in this State; and setting forth that the person, company or corporation bidding is in no way, directly or indirectly, a party to any compact, trust, syndicate or scheme whereby the benefits of competitive bidding have been or will be denied to the People of this State, or by which he, they or it, either individually or as a company, is to divide or share with any other person, firm, association or corporation, the profits to be made from the contract to be awarded.

Sec. 9. The affidavit mentioned in section 8 hereof shall further show:

(1) In case the bidder be a corporation, the name, location of its principal office and amount of its authorized capital stock; the names and addresses of its officers, directors, and stockholders and the amount of capital stock shown by its books to be owned by each such stockholder; and whether such corporation is interested and whether any officer, director, stockholder, or agent thereof is interested, either directly or indirectly, in any manner whatever, in the business or profits of any other person, firm or corporation publishing or selling school text-books in the United States, which affidavit shall be verified by the president, the secretary and three directors of the corporation submitting such proposal.

(2) In case the bidder be a partnership, the names and addresses of the partners and of the officers thereof; the names and addresses of such partners, officers and agents thereof, if any, as are financially interested in any other publisher, publishing firm or publishing corporation; and whether any other publisher, publishing firm or publishing corporation has any financial interest in such partnership; which affidavit shall be verified by at least two of the partners of the partnership submitting such proposal.

(3) In case the bidder be a person other than a corporation or partnership, the business address of such bidder; the names of all other publishers, pub-

lishing firms and publishing corporations, if any, in which such bidder, or agent of such bidder, is in any manner financially interested; and the names of such other publishers, publishing firms or publishing corporations, if any, as are financially interested in the publishing business of such bidder; which affidavit shall be verified by the person submitting such proposal.

Sec. 10. In addition to the sworn statement hereinbefore mentioned, the commission shall require each bidder submitting a proposal under the provisions of this Act to file with the secretary of the commission an attested copy of every written agreement, if any, entered into and existing between such bidder or his or its agent or agents and any other publisher, or publishers, publishing corporation, or corporations, or any stockholder, agent or director thereof. And if anything contained in any such agreement, or agreements or anything disclosed in any statement required by this Act to be filled by such bidder, shall be contrary to or in violation of the laws of this State, or opposed to public policy, the proposal of such bidder shall be rejected.

Sec. 11. Each bidder to whom a contract is awarded shall make and file with the commission a good and sufficient bond in the sum of not less than ten thousand dollars, to be approved by the Governor, and conditioned upon the faithful performance of all the conditions of such contract, and all the provisions of this Act. Such bond shall not be exhausted by a single recovery thereon, but may be sued upon from time to time until the full amount therein, is recovered. The commission may, after twenty days notice, require a new bond to be given, and, if the same be not furnished, such contract may at the option of the commission, be forfeited.

Sec. 12. Upon the termination of any such contract, whether by expiration or by breach thereof, or in case of failure to select from the bids submitted, the commission shall again advertise, receive bids, and proceed to award a contract or contracts as in the first instance.

Sec. 13. After the contracts have been awarded by the commission and before they have been executed by the Governor and Secretary of State, each member of the commission shall file in the office of the Secretary of State an affidavit in writing that he is not and has never been employed by any author or publisher of any of the books which have been adopted in any capacity whatsoever, that is not or has not been financially interested in the sale or selection either directly or indirectly of any text-book which has been adopted; that no individual firm or corporation, to whom a contract has been awarded, or any agent thereof, aided him, by contributions to any fund or otherwise in securing any position, that he has never borrowed any money or received any money, present, reward, promise, contract, obligation, security for the payment of any money, present, reward or any other thing from any author or publisher, whose text-books have been adopted, or any agent thereof; that he has no relative in the employ of any publishing house securing a contract and that he is not related to any author whose text-book has been adopted. Any member, who is unable, for any reason whatsoever, to make such an affidavit, shall thereby be disqualified to serve upon and shall be immediately removed by the Governor from said commission; and his votes, while a member of said commission shall be null and void, and any adoption, which would not have received a majority of the votes of said commission without the vote of such disqualified member, shall be null and void. In the event that any adoption shall become null and void from such cause, the commission shall immediately proceed to select other books in place of the book so adopted.

Sec. 14. Such contract shall be prepared by the Attorney General and shall be executed on behalf of the State by the Governor and Secretary of State. It shall be a condition of every contract that the retail and exchange prices shall be either printed or stamped on back of book and the prices of the text-books therein agreed to be furnished are not in excess of the prices at which the same are being sold or offered for sale elsewhere in the United States under conditions of distribution such as exist in this State; and if at any time within the

8 term of contract, such text-books be furnished elsewhere at a lower price the
9 same reduction shall be made in such contract price, in default whereof the con-
10 tract may, at the option of the commission, be terminated. The contract shall
11 further provide that the State of Illinois shall not be liable thereunder in any
12 amount whatsoever, but that the compensation of the publisher thereunder shall
13 be derived solely from the sale of text-books; and that the contract shall be void
14 if any statement contained in the affidavit filed with such publishers' bid is un-
15 true.

Sec. 15. The secretary of the commission as soon as practicable after an
2 adoption, shall forward to each board of education and board of directors of
3 special school districts, and districts operating under the general school laws of
4 the State, the names of all publishers, who are then under contract to furnish
5 text-books under the provisions of this Act, together with a list showing the
6 names, titles or description and the contract prices of such text-books, which list
7 shall be kept posted in a conspicuous location at each place where such text-books,
8 are offered for sale to pupils. It shall be unlawful for any board of education
9 or board of directors or teacher in such special school districts, or districts op-
10 erating under the general school laws of the State of Illinois, to cause or to per-
11 mit to be used in the schools of such districts any text-books whose publishers
12 shall not have entered into contract as to such text-books, in accordance with the
13 provisions of this Act; and any person violating the provisions hereof shall be
14 fined not less than fifty dollars, nor more than five hundred dollars for each of-
15 fense.

Sec. 16. Each board of education in cities, village and special school dis-
2 tricts, or districts operating under the general school laws of the State, upon re-
3 ceiving from the secretary of the commission the information mentioned in sec-
4 tion 15 of this Act, shall designate a person, a dealer or dealers to act as agent
5 for the handling of the text-books for this district. Such text-books shall be sold
6 at prices not exceeding the contract prices. Any local agent, dealer or other

7 person handling or selling any of the text books adopted under this Act, who
8 shall demand or receive more than the contract price for any of such text-books
9 shall be fined not less than fifty dollars nor more than five hundred dollars.

Sec. 17. It shall be unlawful for any member of the State text-book com-
2 mission either within the term for which he is appointed, or while any contract
3 made hereunder within such term continues in force, to be or to become di-
4 rectly or indirectly interested financially, in the business or profits of any per-
5 son, firm or corporation manufacturing, publishing or selling school text-books,
6 or to become in any way financially interested in any bid or contract made un-
7 der the provisions of this Act, or to accept or to receive from any school text-
8 book publisher or seller or from any agent of such publisher or seller any com-
9 pensation, reward, emolument, gift or donation, directly or indirectly, except
10 text-books actually submitted for examination with the *bona fide* purpose of se-
11 curing their adoption; and it shall be unlawful for any school text-book pub-
12 lisher or seller or an agent of such publisher or seller, to employ or offer to em-
13 ploy any member of such commission, or to pay or to offer to pay any compen-
14 sation, reward or emolument, or to give or offer to give any donation to any
15 member of such commission, except text-books actually submitted for examin-
16 ation with the *bona fide* purpose of securing their adoption and which shall be
17 marked sample copies.

18 Any person violating any of the provisions of this section shall be impris-
19 oned in the penitentiary for not more than ten years and not less than one year.

Sec. 18. Should it be disclosed at any time after the contracts under this
2 Act are executed and before their expiration that any member of the commis-
3 sion swore falsely, or whose affidavit as required by this Act is false in any re-
4 spect, whatsoever, then the office of such member upon commission shall be for-
5 feited and his successor appointed for the unexpired term. Should it be disclos-
6 ed at any time after the contracts have been awarded, and before their expiration
7 that any contractor used any undue influence to obtain the vote of any member

8 of the commission or that the affidavit required of the publisher is false in any
9 particular, then his contract shall be declared null and void.

10 It shall be the duty of the Governor immediately upon the discovery of the
11 facts rendering any contract null and void to declare such contract null and
12 void. It shall be the duty of the commission to select other books in accordance
13 with the terms of this Act, in place of the books included in the contract so de-
14 clared null and void for the unexpired term of the contract.

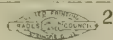
15 Every contractor whose contract shall be declared null and void under this
16 section, shall take up all of the books in actual use during the current school
17 year supplied under the contract so declared null and void and refund to the
18 possessors of such books the prices paid therefor. Should any contractor re-
19 fuse or fail to so take up the books and refund the price as herein required, then
20 his bond shall be forfeited. In the event that a contractor whose contract is de-
21 clared null and void under this section permits his bond to be forfeited, then the
22 commission shall purchase from the publisher whose books are adopted in place
23 of the books covered by such contract, a sufficient number of books to supply
24 all the pupils in the schools using the book out of moneys realized from bonds
25 forfeited hereunder.

Sec. 19. All cities having a population exceeding one hundred thousand in-
2 habitants shall be excepted from the operation of this Act.

Sec. 20. The commission shall be allowed all necessary expenses for post-
2 age, stationery and advertising; and each member, other than the State Superin-
3 tendent of Public Instruction, shall be paid ten dollars a day for the time, not
4 exceeding fifty days, devoted to the duties of his office and three cents per mile
5 each way for the distance traveled each way in going to and from the place of
6 meeting; which shall be certified by the commission to the Auditor of State,
7 who shall draw his warrant therefor, payable out of the general fund.

Sec. 21. The expression "text-books", as used in this Act, shall be con-
2 strued to mean books, published for or adapted to use in public schools.

Sec. 22. All Acts or parts of Acts inconsistent herewith are hereby re-
2 pealed.



- 1 Introduced by Mr. W. M. Brown, March 26, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriation for the Illinois State Academy of Science.

WHEREAS, The Illinois State Academy of Science, composed of the leading
2 men of science of the State and of beginners as well, is an organization whose
3 purpose is the promotion and diffusion of scientific knowledge generally
4 throughout the State; and

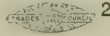
5 WHEREAS, It is desirable that knowledge of scientific advancement in all
6 lines be available for the people generally; and

7 WHEREAS, Since from the earliest times to the present in European states
8 and today quite generally in the United States, state academies are aided by
9 State funds; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and is hereby appropriated

3 for the use of the Illinois State Academy of Science the sum of two thousand
4 dollars (\$2,000.00) per annum for the publication and distribution of transac-
5 tions, memoirs and bulletins and for the employment of clerical help and the ex-
6 penses of holding annual meetings: *Provided, however,* that no officer of the
7 Illinois State Academy of Science shall be entitled to receive any money com-
8 pensation for any services rendered the academy out of this fund: *And pro-*
9 *vided, also,* that all books and pamphlets received in exchange for these pub-
10 lications shall be the property of the State Museum of Natural History.

Sec. 2. That on the order of the secretary of the Illinois State Academy
2 of Science, countersigned by the president thereof, the Auditor of Public Ac-
3 counts shall draw his warrant on the Treasurer of the State of Illinois in
4 favor of the secretary of the Illinois State Academy of Science for the sum
5 herein appropriated.



- 1 Introduced by Mr. Vickers, March 26, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to protect cemeteries and to provide for their regulation and management," approved June 29, 1885, in force July 1, 1885, and subsequent Acts amendatory thereof, by adding three new sections thereto to be known as sections 7a, 7b, and 7c.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to protect cemeteries and to provide for their regulation and management," approved June 29, 1885, in force July 1, 1885, and subsequent Acts amendatory thereof, be and the same is hereby amended by adding thereto three new sections to be known as sections 7a, 7b, and 7c.*

7 *Sec. 7a. It is hereby made the duty of every corporation, organization,*
8 *association or individual owning and having the control and management of any*
9 *public cemetery located in any township in this State to keep the same in a*
10 *respectable condition by fencing where there is no sufficient fence and by*
11 *keeping the fences in good repair and by keeping the weeds mowed.*

12 Sec. 7b. *Any such corporation, organization, association or individual fail-*
13 *ing, neglecting or refusing to keep any such cemetery in a respectable condi-*
14 *tion as herein provided, shall, upon conviction thereof, be fined in any sum not*
15 *exceeding one hundred dollars (\$100.00) for each year such cemetery is so neg-*
16 *lected after the taking effect of this Act.*

17 Sec. 7c. *It shall be the duty of the township supervisor in counties under*
18 *township organization, and of the board of county commissioners in counties*
19 *not under township organization, to enforce the provisions of this Act, and said*
20 *officer shall report violation hereof to a justice of the peace in and for the*
21 *county, and procure a warrant or warrants for the violator of any of the pro-*
22 *visions hereof.*



- 1 Introduced by Mr. Pace (by request), March 26, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend section 420 of an Act entitled, "An Act to enable cities, towns, villages, organized under any general or special law, to levy and collect a tax or license fee from foreign insurance companies for the benefit of organized fire departments," which Act became a law May 31, 1895, in force July 1, 1895, and is amended by an Act approved June 19, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 420 of an Act entitled, "An Act to enable cities, towns, villages, organized under any general or special law to levy and collect a tax or license fee from foreign insurance companies for the benefit of organized fire departments," which Act became a law May 31, 1895, in force July 1, 1895, and is amended by an Act approved June 10, 1909, in force July 1, 1909.

Sec. 420. FOREIGN FIRE INSURANCE COMPANIES TO PAY TAX OR LICENSE FEE.]

All corporations, companies and associations not incorporated under the laws of this State, and which are engaged in any city, town or village organized under any general or special law of this State, in affecting fire insurance, shall

5 pay to the treasurer of the city, town or village for the maintenance, use and
6 benefit of the fire department thereof, a sum not exceeding two per cent of the
7 gross receipts received by their agency in such city, town or village; and any
8 city, town or village of less than fifty thousand inhabitants, having an organ-
9 ized fire department, shall cause to be passed an ordinance providing for the
10 election of officers of such organized fire department, by the department,
11 which shall include a treasurer, and make all such rules and regulations in re-
12 spect thereof and the management of said fund as may be needful; that in all
13 such cities, towns or villages the treasurer shall pay such sum received from
14 insurance companies to the treasurer of the fire department of the city, town
15 or village in which it is collected. The treasurer of such fire department shall
16 give a sufficient bond to the city, town or village in which such fire department
17 is organized, to be approved by the president of the village or mayor, as the
18 case may be, conditioned for the faithful performance of his duties under the
19 ordinance passed as aforesaid by said city, town or village; and the treasurer
20 of the fire department shall receive the money so collected and shall pay out
21 the same upon the order of the said fire department for the purposes of the
22 maintenance, use and benefit of such department: *Provided*, that in any city,
23 town or village where a firemen's pension fund is or may be established under
24 other laws of this State *all* of the amount so collected may be set apart and ap-
25 propriated by the city, town or village to the fund for the pensioning of dis-
26 abled and superannuated members of the fire department, and of the widows
27 and orphans of deceased members of the fire department of cities, towns and
28 villages having an organized fire department. Cities, towns and villages are
29 hereby empowered to prescribe by ordinance the amount of tax or license fee
30 to be fixed, not in excess of the above rate, and at that rate such corporations,
31 companies and associations shall pay upon the amount of all premiums which,
32 during the year ending on every first day of July, shall have been received for
33 any insurance effected or agreed to be effected in the city, town or villages, by
34 or with such corporation, companies or association respectively. Every person
35 who shall act in any city, town or village as agent or otherwise, for or on behalf

36 of such corporation, company or association, shall, on or before the fifteenth day
37 of July of each and every year, render to the city, town or village clerk a full,
38 true and just account verified by his oath of all the premiums which, during
39 the year ending on every first day of July preceding such report, shall have
40 been received by him, or any other person for him in behalf of any such cor-
41 poration, company or association, and shall specify in said report the amounts
42 received for fire insurance. Such agents shall also pay to the treasurer of any
43 such city, town or village, at the time of rendering the aforesaid report, the
44 amount of rates fixed by the ordinance of the said cities, towns or villages, for
45 which the companies, corporations or associations represented by them are sev-
46 erally chargeable by virtue of this Act, and the ordinance passed in pursuance
47 thereof. If such account be not rendered on or before the day herein designated
48 for that purpose, or if the said rates shall remain unpaid after that day, it
49 shall be unlawful for any corporation, company or association so in default to
50 transact any business or insurance in any such city, town or village until the
51 said requisition shall have been fully complied with; but this provision shall
52 not relieve any company, corporation or association from the payment of any
53 risk that may be taken in violation hereof.

AMENDMENTS TO
49th G. A. HOUSE BILL No. 534 1915



1 adopted April 27, 1915.

AMENDMENT NO. 1.

Amend House Bill 534 by striking out the numeral 420 in the first line
2 of the title of the bill and insert the numeral I in place thereof.

AMENDMENT NO. 2.

Amend House Bill No. 534 by striking out the numeral 420 in line 2 of sec-
2 tion 1 and insert the numeral 1 in place thereof.

AMENDMENT NO. 3.

Amend House Bill 534 by striking out the numeral 420 in line 1 of sec-
2 tion 420 and insert the numeral 1 in place thereof.

AMENDMENT NO. 4.

Amend House Bill No. 534 by striking out all of line 6 in section 1 after the
2 word "approved" and all of line 7 in section 1 and substitute the following:
3 June 19, 1909, in force July 1, 1909, be and the same is hereby amended so that
4 section 1 shall read as follows:



- 1 Introduced by Mr. Lipshulch, March 26, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

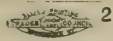
A BILL

For an Act to amend an Act to revise the law in relation to costs, approved February 11, 1874, in force July 1, 1874, (R. S. 1874, p. 297.)

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 22 of an Act entitled, "An
3 Act to amend an Act to revise the law in relation to costs, approved Feb. 11,
4 1874, in force July 1, 1874, R. S. 1874, p. 297," which now reads as follows:
5 Sec. 22. If any person shall sue out a writ of error, or take an appeal to
6 the Supreme Court, to review the judgment of any other court, and the same
7 judgment be affirmed, or the writ of error be discontinued or quashed, or the
8 plaintiff in error or appellant be non-suited, the defendant in error or appellee
9 shall recover his costs, and have execution therefor; and if the judgment be
10 reversed, the appellant or plaintiff in error shall recover his costs, and shall
11 have execution therefor, as in other cases, be and the same is hereby amended
12 so that said section 22, as amended, shall read as follows:

13 Sec. 22. If any person shall sue out a writ of error, or take an appeal to
14 the appellate court or to the Supreme Court to review the judgment of any

15 other court, and the same judgment be affirmed, or the writ of error be discon-
16 tinued or quashed, or the plaintiff in error or appellant be non-suited, the de-
17 fendant in error or appellee shall recover his costs, and have execution there-
18 for; and if the judgment be reversed, the appellant or plaintiff in error shall
19 recover his costs, and shall have execution therefor as in other cases: *Provided*,
20 *however*, that if the judgment be reversed because of any error in any ruling
21 of the judge of the trial court to which said writ of error is sued out or from
22 which said appeal is taken, in regard to either the admission or exclusion of
23 any evidence offered on the trial, or in regard to the giving or refusal of any
24 instruction to the jury at the trial, or in regard to any finding or ruling by the
25 trial judge upon any proposition of law raised or submitted during the trial, or
26 in connection with a motion for new trial or a motion in arrest of judgment, the
27 costs and charges to be recovered by the appellant or plaintiff in error shall
28 be paid by such trial judge within sixty days from the time when the order and
29 judgment of the appellate or Supreme Court shall become final, and if not so
30 paid within such time by such trial judge, such trial judge shall be disqualified
31 until such costs shall be paid.



- 1 Introduced by Mr. Smejkal (by request), March 26, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act entitled, An Act making an appropriation for the payment of the amounts awarded by the court of claims to certain persons and companies named therein.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That there be and is hereby appropriated the sum of thirty thousand six hundred seventy and 7-100 dollars (\$30,670.07) to pay awards made by the court of claims during the sessions of 1913 and 1914 to the following named persons and companies:

To Chicago & Alton Railroad Co., on account of demurrage charges on coal consigned to the Illinois State Penitentiary at Joliet, three hundred fifty-seven (\$357.00) dollars.

To Leroy D. Kellogg, on account of inheritance tax collected erroneously and paid into the State treasury, six hundred forty-five and 17-100 (\$645.17) dollars.

To Firemen's insurance Company of Newark, New Jersey, on account of taxes erroneously paid into the State treasury, one thousand four hundred eighty-four and 68-100 (\$1,484.68) dollars.

15 To Frank O. Johnson, for damages to house and lot by blasting in the
16 quarry at the Illinois State Penitentiary at Joliet, seven hundred fifty and
17 00-100 (\$750.00) dollars.

18 To Peyton-Palmer Co., on account of refund of license fee paid to sell
19 stock food, one hundred seventy-five and 00-100 (\$175.00) dollars.

20 To E. H. Titus, Wilson H. Tucker and Samuel Ordway, executors of the
21 last will and testament of Edward T. Hatch, deceased, on account of inheritance
22 tax collected erroneously and paid into the State treasury, one hundred twenty-
23 seven and 54-100 (\$127.54) dollars.

24 To A. G. Campbell, for loss of horse hired to the Illinois National Guard,
25 sixty and 00-100 (\$60.00) dollars.

26 To E. A. Pynchon, for loss of surveying instruments while in the employ
27 of the State, one hundred twenty-nine and 50-100 (\$129.50) dollars.

28 To Arthur E. Folger, on account of injuries received while in the service
29 as a member of the Illinois Naval Reserve, seven hundred and 00-100 (\$700.00)
30 dollars.

31 To Albert L. Lincoln, as executor of the last will and testament of Mary
32 Lewis Williams, deceased, on account of inheritance tax collected erroneously
33 and paid into the State treasury, two hundred twenty-eight and 04-100
34 (\$228.04) dollars.

35 To Francis J. McNally, for damages to house and lot by blasting in the
36 quarry at the Illinois State Penitentiary at Joliet, eight hundred and 00-100
37 (\$800.00) dollars.

38 To Emma Bartholomae, on account of inheritance tax collected errone-
39 ously and paid into the State treasury, five thousand four hundred fourteen
40 and 07-100 (\$5,414.07) dollars.

41 To Childers and Lillienstein, on account of contract price for horse sold to
42 the State for use at the Soldiers' Orphans' Home at Normal, Illinois, one hun-
43 dred ninety-two and 50-100 (\$192.50) dollars.

44 To Barrow, Wade, Guthrie & Co., on account of bill for services in audit

ing the books in the office of the Insurance Superintendent, three thousand two hundred ninety-three and 89-100 (\$3,293.89) dollars.

To Beatrice Alice Poole Souberbielle and Adrien Souberbielle, administratrix and administrator, respectively, with the will annexed of the estate of Mariano Edouard Souberbielle, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one thousand thirty-six and 48-100 (\$1,036.48) dollars.

To Charles H. Taylor, for damages to house and lot by blasting in the quarry at the Illinois State Penitentiary at Joliet, five hundred and 00-100 (\$500.00) dollars.

To Anna Magan, on account of inheritance tax collected erroneously and paid into the State treasury, seven hundred seventy-six and 99-100 (\$776.99) dollars.

To William K. Pattison and Lucien E. Harding, executors of the last will and testament of Samuel S. Frowe, deceased, on account of inheritance tax collected erroneously and paid into the State treasury, one hundred ninety and 00-100 (\$190.00) dollars.

To Celinda McCullough, administratrix, and John McCullough, administrator of the estate of James S. McCullough, deceased, on account of costs advanced by James S. McCullough, former State Auditor, during his life time in suit vs. James S. McCullough and others, nine hundred thirty-six and 60-100 (\$936.60) dollars.

To Mary Badgley Wells, on account of inheritance tax collected erroneously and paid into the State treasury, forty-six and 70-100 (\$46.70) dollars.

To Bradford Wells, on account of inheritance tax collected erroneously and paid into the State treasury, eight hundred eighty-six and 09-100 (\$886.09) dollars.

To Mildred Wells Carton, on account of inheritance tax collected erroneously and paid into the State treasury, twenty-three and 35-100 (\$23.35) dollars.

To Mary Jane Hess, on account of inheritance tax collected erroneously and paid into the State treasury, eight hundred seven and 60-100 (\$807.60) dollars.

77 To Elizabeth Ullman, on account of inheritance tax collected erroneously
78 and paid into the State treasury, nine hundred seventeen and 08-100 (\$917.08)
79 dollars.

80 To Cordova L. Peniston, executor of the last will and testament of May
81 Buckingham, deceased, on account of inheritance tax collected erroneously and
82 paid into the State treasury, four thousand two hundred sixteen and 98-100
83 (\$4,216.98) dollars.

84 To S. L. James, on account of inheritance tax moneys paid into the State
85 treasury by him as county treasurer by mistake, fourteen and 40-100 (\$14.40)
86 dollars.

87 To Ella L. Bernard, on account of money invested in purchase of material
88 for a quilt at Elgin State Hospital, ten and 41-100 (\$10.41) dollars.

89 To W. M. Allen Son & Co., on account of refund of moneys deposited with
90 Board of Administration on building contract for buildings at Chicago State
91 Hospital, five thousand nine hundred fifty and 00-100 (\$5,950.00) dollars.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant on the State Treasurer in favor of said persons and com-
3 panies, respectively, for the amounts herein appropriated, payable out of any
4 money in the treasury not otherwise appropriated.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 536

1915



1 Adopted April 23, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 536, by striking out all of section 2 of the printed bill
2 and inserting in lieu thereof the following:

3 “Section 2. The Auditor of Public Accounts is hereby authorized and di-
4 rected to draw his warrant on the State Treasury in favor of said persons and
5 companies respectively for the amounts herein appropriated, upon a proper cer-
6 tification by the Court of Claims and approval of the Governor, payable out of
7 any money in the treasury not otherwise appropriated.”

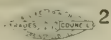
- 1 Introduced by Mr. DeYoung, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to provide for the election of supervisors in the county of Cook, and to fix their term of office.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the supervisors elected in their
3 respective towns in the county of Cook on the first Tuesday of April, 1916, and
4 biennially thereafter, shall hold their offices for two years, and until their suc-
5 cessors are elected and qualified, and the term of said office, beginning with
6 the election to be held in the year 1916, is hereby fixed at two years.

Sec. 2. All Acts or parts of Acts inconsistent with the provisions of this
2 Act are hereby repealed.



1 Introduced by Mr. DeYoung, March 30, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 7 of an Act entitled, "An Act to provide for and regulate the administration of trusts by Trust Companies," approved, June 15, 1887, and in force July 1st, 1887, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 7 of an Act entitled, "An
3 Act to provide for and regulate the administration of trusts by trust companies,"
4 approved June 15th, 1887, and in force July 1, 1887, be and the same is hereby
5 amended so as to read as follows, to-wit:

Sec. 7. When any part of such deposit is made in bonds and mortgages it
2 shall be accompanied by full abstracts of title and searches, and shall be exam-
3 ined and approved by or under the direction of the Auditor; *or in case the real es-*
4 *tate so mortgaged shall lie in any county which has adopted the provisions of*
5 *the Land Titles Act, and shall have been registered under the provisions*
6 *of said Land Titles Act, then any certificate of title or duplicate certificate of*
7 *title, or certified copy of certificate of title, provided for by the terms of said*

8 *Land Titles Act as evidence of the title, and showing the existence and priority*
9 *of such mortgage lien, or lien by way of trust deed, shall be accepted as evidence*
10 *of title and as evidence of the existence and priority of such mortgage or trust*
11 *deed lien, in place of an abstract of title and search as aforesaid. The fee for*
12 *an examination of such abstract of title and search by counsel to be paid by the*
13 *company making the deposit, shall not exceed \$20.00 for each mortgage, and the*
14 *fee for each appraiser, not exceeding two, besides expenses, shall be \$5.00 for*
15 *each mortgage.*



- 1 Introduced by Mr. DeYoung, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to amend section 6 of the Act entitled, "An Act to provide for the organization, management and regulation of surety companies," approved and in force April 17, 1899.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 6 of an Act entitled, "An
3 Act to provide for the organization, management and regulation of surety com-
4 panies," approved and in force April 17, 1899, be and the same is hereby amend-
5 ed so as to read as follows, to-wit:

6 Sec. 6. Every such corporation before commencing business, shall, in addi-
7 tion to other requirements of law, deposit with the Insurance Superintendent, in
8 trust for the special and sole benefit and security of all its creditors and holders of
9 its obligations and contracts of suretyship, guaranty and indemnity, not less
10 than one hundred thousand dollars of its paid-up capital in bonds of the United
11 States, or State or municipal bonds, or in mortgages on improved or productive
12 real estate in this State, being first liens thereon, and the real estate being worth

13 at least twice the amount loaned thereon. The bonds and securities so depos-
14 ited may be exchanged from time to time for other securities of any of the classes
15 above mentioned. All said securities shall be subject to sale and to the dis-
16 posal of the proceeds by the Insurance Superintendent only in pursuance of
17 the order or decree of a court of competent jurisdiction, in a suit or proceeding
18 to which the corporation shall be a party, and on due notice to it. So long as
19 the corporation so depositing shall continue solvent, such corporation shall be
20 entitled to receive from the Insurance Superintendent the interest or dividends
21 on the deposit.

22 When any part of such deposit is made in notes or bonds secured by mort-
23 gages, they shall be accompanied by full abstracts of title and searches, which
24 shall be examined and approved by or under the direction of the Insurance
25 Superintendent; *or in case the real estate so mortgaged shall lie in any county*
26 *which has adopted the provisions of the land titles Act, and shall have been reg-*
27 *istered under the provisions of said land titles Act, then any certificate of title*
28 *or duplicate certificate of title, or certified copy of certificate of title, provided*
29 *for by the terms of said land titles Act as evidence of the title, and showing the*
30 *existence and priority of such mortgage lien, or lien by way of trust deed,*
31 *shall be accepted as evidence of title and as evidence of the existence and priority*
32 *of such mortgage or trust deed lien, in place of an abstract of title and search*
33 *as aforesaid.* The fee for an examination of *such abstract of title and search* by
34 counsel, to be paid by the corporation making the deposit, shall not exceed twen-
35 ty dollars for each mortgage, and the fee for each appraiser, not exceeding two,
36 besides expenses, shall be five dollars for each mortgage.



- 1 Introduced by Mr. Ellis (by request) March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend sections 4 and 9 of an Act entitled “An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole,” approved April 21, 1899, in force July 1, 1899, as amended by an Act approved May 10, 1901; in force July 1, 1901; as amended by an Act approved June 5, 1911; in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That sections 4 and 9 of an Act entitled:
3 “An Act to revise the law in relations to the sentence and commitment of per-
4 sons convicted of crime and providing for a system of parole, and to provide
5 compensation for the officers of said system of parole,” approved April 21, 1899,
6 in force July 1, 1899; as amended by Act approved May 10, 1901, in force July
7 1, 1901, and as amended by Act approved June 5, 1911, in force July 1, 1911, be
8 and the same hereby is, amended so as to read as follows:

Sec. 4. The said board of pardons shall have power to establish rules and regulations under which prisoners in the penitentiary may be allowed to go upon parole outside of the penitentiary building and enclosure. *Provided, that this Act shall not apply to prisoners who shall be hereafter convicted and sentenced under the provisions of an Act entitled, "An Act in relation to the punishment of criminals," approved June 23, 1883, in force July 1, 1883. Provided, that no prisoner shall be released from either penitentiary on parole until the State Board of Pardons or the Warden of said penitentiary shall have made arrangements, or shall have satisfactory evidence that arrangements have been made, for his honorable and useful employment while upon parole, in some suitable occupation, and also, for a proper and suitable home, free from criminal influences and without expense to the State: And Provided, further, that all prisoners so temporarily released upon parole, shall, at all times, until the receipt of their final discharge, be considered in the legal custody of the warden of the penitentiary from which they were paroled, and shall, during the said time, be considered as remaining under conviction for the crime of which they were convicted and sentenced, and subject at any time to be taken back within the enclosure of said penitentiary, and full power to enforce such rules and regulations and to retake and reimprison any inmate so upon parole, is hereby conferred upon the warden of said penitentiary, whose order or writ certified by the clerk of said penitentiary, with the seal of the institution attached and directed to all sheriffs, coroners, constables, police officers, or to any particular person named in said order or writ, shall be sufficient warrant for the officer or other person named therein, to authorize said officer or person to arrest and deliver to the warden of said penitentiary the body of the conditionally released or paroled prisoner named in said writ, and it is hereby made the duty of all sheriffs, coroners, constables, police officers or other persons named therein to execute said order or writ the same as other criminal process. In case any prisoner so conditionally released or paroled shall flee beyond the limit of the State, he may be returned pursuant to the provisions of the law of this State relating to fugitives from justice. It shall be the duty of the warden immediately upon the return of*

any conditionally released or paroled prisoner, to make report of the same to the State Board of Pardons, giving the reasons for the return of said paroled prisoner.

Provided, further, that the State Board of Pardons, may, in its discretion, permit any prisoner to temporarily and conditionally depart from such penitentiary on parole, and go to some county in the State named and there remain within the limits of the county and not to depart from the same without written authority from said board, for such length of time as the board may determine, and upon the further condition that such prisoner shall, during the time of his parole, be and continuously remain a law-abiding citizen of industrious and temperate habits, and report to the sheriff of the county on the first day of each month, giving a particular account of his conduct during the month, and it shall be the duty of such sheriff to investigate such report and ascertain what has been the habits and conduct of such prisoner during the time covered by such report, and to transmit such report upon blanks furnished him by the warden of the penitentiary to said warden within five days after the receipt of such prisoner's report, adding to such report the sheriff's statement as to the truth of the report so made to him by the prisoner. It shall also be the duty of such sheriff to keep secret the fact that such prisoner is a paroled prisoner, and in no case divulge such fact to any person or persons so long as said prisoner obeys the terms and conditions of his parole.

Sec. 9. Each of the board of penitentiary commissioners shall have power and authority to appoint such number of parole agents as may be necessary: *Provided,* that the number of such parole agents appointed by the board of penitentiary commissioners for the Illinois State Penitentiary at Joliet, shall not exceed *six*, and that the number of such parole agents appointed by the board of penitentiary commissioners for the Southern Illinois Penitentiary shall not exceed *three*. Each of the boards of penitentiary commissioners also shall have power and authority to prescribe the duties of said officers respectively appointed by

9 them; that each of said parole agents shall at all times be subject to the orders
10 of the board which appointed him as provided in this section, and shall receive
11 a salary not to exceed fifteen hundred dollars per year, payable monthly, upon
12 the certificate of said board and upon warrants drawn by the Auditor of Public
13 Accounts, out of any money in the treasury not otherwise appropriated.

- 1 Introduced by Mr. Gorman, March 30, 1915.
2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

An Act to provide for a deficiency in the office of the Chief Inspector of Private Employment Agencies, for the fiscal year ending June 30, 1915.

SECTION 1. *Be it enacted by the People of the State of, Illinois,*
2 *represented in the General Assembly:* That the sum of five thousand (\$5,000.00)
3 dollars, or as much thereof as may be necessary, be and is hereby appropriated
4 for the purpose of meeting the necessary legal expenses already incurred in
5 the prosecution of violators of "An Act relating to private employment
6 agencies."

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants on the State Treasurer for the sum herein appropriated
3 upon the presentation of proper vouchers certified to by the Chief Inspector of
4 Private Employment Agencies and approved by the Governor, which warrants
5 shall be payable out of any moneys in the State Treasury not otherwise ap-
6 propriated.

Sec. 3. Whereas, said sum of money is immediately required, therefore
2 an emergency exists and this Act shall take effect from and after its passage.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 541

1915



1 Adopted June 14, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 541, as printed in the House, section 1, line 2, by
2 striking out the words and figures, "five thousand (\$5,000.00)" and insert in
3 lieu thereof the words and figures, "fifteen hundred (\$1,500.00)."



- 1 Introduced by Mr. T. E. Graham, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

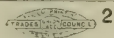
A BILL

For an Act to amend an Act entitled, “An Act to revise the law in relation to re-
corders,” approved March 9, 1874, in force July 1, 1874, as subsequently
amended by amending section thirteen (13) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That an Act entitled, “An Act to revise
the law in relation to recorders,” approved March 9, 1874, in force July 1, 1874,
as subsequently amended, be and the same is hereby amended by amending
section thirteen (13) thereof, so that the said section thirteen when amended
shall read as follows:

Sec. 13. It shall be unlawful for any recorder to record any map, plat or
sub-division of land situated in any incorporated city, town or village, until the
same shall have been approved by the legislative authority of the city, town or
village in which such land may be situated, or by some city, town or village offi-
cer for that purpose to be designated by resolution or ordinance of said legis-
lative authority, *or to record any map, plat or sub-division of land situated*
outside of an incorporated city, town or village until the same shall have been

8 *approved by the supervisor of assessments, when such officer exists and the*
9 *county clerk of the county in which said land may be situated. For each and*
10 *every violation of this section by any recorder or his deputy or employee, such*
11 *recorder shall forfeit and pay to the county the sum of \$200, to be recovered*
12 *in any court of competent jurisdiction, in the name of the State, for the use of*
13 *the county, in an action of debt, with costs of suit.*



- 1 Introduced by Mr. W. J. Graham, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to make uniform the law of acknowledgments to deeds or other instruments taken outside the United States.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* All deeds or other instruments requiring
3 acknowledgment, if acknowledged without the United States, shall be acknowl-
4 edged before an ambassador, minister, envoy or charge d' affaires of the
5 United States, in the country to which he is accredited, or before one of the
6 following officers commissioned or accredited to act at the place where the
7 acknowledgment is taken, and having an official seal, viz.: any consular officer of
8 the United States; a notary public; or a commissioner or other agent of this
9 State having power to take acknowledgments to deeds.

Sec. 2. Every certificate of acknowledgment, made without the United
2 States, shall contain the name or names of the person or persons making the
3 acknowledgment, the date when and place where made, a statement of the fact
4 that the person or persons making the acknowledgment knew the contents of the
5 instrument, and acknowledged the same to be his, her or their Act; the certifi-

6 cate shall also contain the name of the person before whom made, his official
7 title, and be sealed with his official seal and may be substantially in the follow-
8 ing form:

9(name of country.
10(name of city, province or other
11 political subdivision).

12 Before the undersigned.....(naming the
13 officer and designating his official title) duly commissioned (or appointed) and
14 qualified, this day personally appeared at the place above named.....
15(naming the person or persons acknowledging) who de-
16 clared that he (she or they) knew the contents of the foregoing instrument,
17 and acknowledged the same to be his (her or their) act.

18 Witness my hand and official seal this.....day of.....,
19 191.....

20(name of officer.)
21 (SEAL)(official title.)

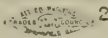
22 When the seal affixed shall contain the name or the official style of the offi-
23 cer, any error in stating, or failure to state otherwise the name or the official
24 style of the officer, shall not render the certificate defective.

Sec. 3. A certificate of acknowledgment of a deed or other instrument
2 acknowledged without the United States before any officer mentioned in section
3 1 shall also be valid if in the same form as now is or hereafter may be required
4 by law, for an acknowledgment within this State.

Sec. 4. This Act shall be so interpreted and construed as to affect its gen-
2 eral purpose to make uniform the law of those states which enact it.

Sec. 5. This Act may be cited as the Uniform Acknowledgment Act.

Sec. 6. All Acts or parts of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. W. J. Graham, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to make uniform the law of partnership.

PART I.

PRELIMINARY PROVISIONS.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: NAME OF ACT.]* This Act may be cited as
3 Uniform Partnership Act.

Sec. 2. DEFINITION OF TERMS.] In this Act, “Court” includes every court
2 and judge having jurisdiction in the case.

3 “Business” includes every trade, occupation, or profession.

4 “Person” includes individuals, partnerships, corporations, and other asso-
5 ciations.

6 “Bankrupt” includes bankrupt under the Federal Bankruptcy Act or in-
7 solvent under any State insolvent Act.

8 “Conveyance” includes every assingment, lease, mortgage, or encumbrance.

9 “Real Property” includes land and any interest or estate in land.

Sec. 3. INTERPRETATION OF KNOWLEDGE AND NOTICE.] (1) A person has

“knowledge” of a fact within the meaning of this Act not only when he has actual knowledge thereof, but also when he has knowledge of such other facts as in the circumstances shows bad faith.

(2) A person has “notice” of a fact within the meaning of this Act when the person who claims the benefit of the notice

(a) States the fact to such person, or

(b) Delivers through the mail, or by other means of communication, a written statement of the fact to such person or to a proper person at his place of business or residence.

Sec. 4. RULES OF CONSTRUCTION.] (1) The rule that statutes in derogation of the common law are to be strictly construed shall have no application to this Act.

(2) The law of estoppel shall apply under this Act.

(3) The law of agency shall apply under this Act.

(4) This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

(5) This Act shall not be construed so as to impair the obligations of any contract existing when the Act goes into effect, nor to affect any action or proceedings begun or right accrued before this Act takes effect.

Sec. 5. RULES FOR CASES NOT PROVIDED FOR IN THIS ACT.] In any case not provided for in this Act the rules of law and equity, including the law merchant, shall govern.

PART II.

NATURE OF A PARTNERSHIP.

Sec. 6. PARTNERSHIP DEFINED.] (1) A partnership is an association of two or more persons to carry on as co-owners a business for profit.

(2) But any association formed under any other statute of this State, or any statute adopted by authority, other than the authority of this State, is

5 not a partnership under this Act, unless such association would have been a
6 partnership in this State prior to the adoption of this Act; but this Act shall
7 apply to limited partnerships except in so far as the statutes relating to such
8 partnerships are inconsistent herewith.

Sec. 7. RULES FOR DETERMINING THE EXISTENCE OF A PARTNERSHIP.] In de-
2 termining whether a partnership exists, these rules shall apply:

3 (1) Except as provided by section 16 persons who are not partners as to
4 each other are not partners as to third persons.

5 (2) Joint tenancy, tenancy in common, tenancy by the entireties, joint
6 property, common property, or part ownership does not of itself establish a part-
7 nership, whether such co-owners do or do not share any profits made by the use
8 of the property.

9 (3) The sharing of gross returns does not of itself establish a partnership,
10 whether or not the persons sharing them have a joint or common right or in-
11 terest in any property from which the returns are derived.

12 (4) The receipt by a person of a share of the profits of a business is *prima*
13 *facie* evidence that he is a partner in the business, but no such inference shall
14 be drawn if such profits were received in payment:

15 (a) As a debt by installments or otherwise,

16 (b) As wages of an employee or rent to a landlord,

17 (c) As an annuity to a widow or representative of a deceased partner.

18 (d) As interest on a loan, though the amount of payment vary with the
19 profits of the business.

20 (e) As the consideration for the sale of the good will of a business or
21 other property by installments or otherwise.

Sec. 8. PARTNERSHIP PROPERTY.] (1) All property originally brought into
2 the partnership stock or subsequently acquired, by purchase or otherwise, on
3 account of the partnership is partnership property.

4 (2) Unless the contrary intention appears, property acquired with part-
5 nership funds is partnership property.

6 (3) Any estate in real property may be acquired in the partnership
7 name. Title so acquired can be conveyed only in the partnership name.

8 (4) A conveyance to a partnership in the partnership name, though with-
9 out words of inheritance, passes the entire estate of the grantor unless a con-
10 trary intent appears.

PART III.

RELATIONS OF PARTNERS TO PERSONS DEALING WITH THE PARTNERSHIP.

Sec. 9. PARTNER AGENT OF PARTNERSHIP AS TO PARTNERSHIP BUSINESS.] (1)

2 Every partner is an agent of the partnership for the purpose of its business,
3 and the act of every partner, including the execution in the partnership name
4 of any instrument, for apparently carrying on in the usual way the business
5 of the partnership of which he is a member binds the partnership, unless the
6 partner so acting has in fact no authority to act for the partnership in the par-
7 ticular matter, and the person with whom he is dealing has knowledge of the
8 fact that he has no such authority.

9 (2) An act of a partner which is not apparently for the carrying on of
10 the business of the partnership in the usual way does not bind the partnership
11 unless authorized by the other partners.

12 (3) Unless authorized by the other partners or unless they have aban-
13 doned the business, one or more but less than all the partners have no author-
14 ity to:

15 (a) Assign the partnership property in trust for creditors or on the as-
16 signee's promise to pay the debts of the partnership,

17 (b) Dispose of the good-will of the business,

18 (c) Do any other act which would make it impossible to carry on the or-
19 dinary business of the partnership,

20 (d) Confess a judgment,

21 (e) Submit a partnership claim or liability to arbitration or reference.

22 (4) No act of a partner in contravention of a restriction on his author-
23 ity shall bind the partnership to persons having knowledge of the restriction.

Sec. 10. CONVEYANCE OF REAL PROPERTY OF THE PARTNERSHIP.] (1) Where

2 title to real property is in the partnership name, any partner may convey title
3 to such property by a conveyance executed in the partnership name; but the
4 partnership may recover such property unless the partner's act binds the part-
5 nership under the provisions of paragraph (1) of section 9, or unless such
6 property has been conveyed by the grantee or a person claiming through such
7 grantee to a holder for value without knowledge that the partner, in making
8 the conveyance, has exceeded his authority.

9 (2) Where title to real property is in the name of the partnership, a con-
10 veyance executed by a partner, in his own name, passes the equitable interest
11 of the partnership, provided the act is one within the authority of the partner
12 under the provisions of paragraph (1) of section 9.

13 (3) Where title to real property is in the name of one or more but not
14 all the partners, and the record does not disclose the right of the partner-
15 ship, the partners in whose name the title stands may convey title to such
16 property, but the partnership may recover such property if the partners' act
17 does not bind the partnership under the provisions of paragraph (1) of sec-
18 tion 9, unless the purchaser or his assignee, is a holder for value, without
19 knowledge.

20 (4) Where the title to real property is in the name of one or more or all
21 the partners, or in a third person in trust for the partnership, a conveyance
22 executed by a partner in the partnership name, or in his own name, passes the
23 equitable interest of the partnership, provided the act is one within the author-
24 ity of the partner under the provisions of paragraph (1) of section 9.

25 (5) Where the title to real property is in the names of all the partners
26 a conveyance executed by all the partners passes all their rights in such prop-
27 erty.

Sec. 11. PARTNERSHIP BOUND BY ADMISSION OF PARTNER.] An admission or

2 representation made by any partner concerning partnership affairs within the
3 scope of his authority as conferred by this Act is evidence against the part-
4 nership.

Sec. 12. PARTNERSHIP CHARGED WITH KNOWLEDGE OF OR NOTICE TO PARTNER.]

2 Notice to any partner of any matter relating to partnership affairs, and the
3 knowledge of the partner acting in the particular matter, acquired while a
4 partner or then present to his mind, and the knowledge of any other partner who
5 reasonably could and should have communicated it to the acting partner, operate
6 as notice to or knowledge of the partnership, except in the case of a fraud on
7 the partnership committed by or with the consent of that partner.

Sec. 13. PARTNERSHIP BOUND BY PARTNER'S WRONGFUL ACT.] Where, by any

2 wrongful act or omission of any partner acting in the ordinary course of the
3 business of the partnership, or with the authority of his co-partners, loss or in-
4 jury is caused to any person, not being a partner in the partnership, or any
5 penalty is incurred, the partnership is liable therefor to the same extent as
6 the partner so acting or omitting to act.

Sec. 14. PARTNERSHIP BOUND BY PARTNER'S BREACH OF TRUST.] The partner-

2 ship is bound to make good the loss:

3 (a) Where one partner acting within the scope of his apparent authority
4 receives money or property of a third person and misapplies it; and

5 (b) Where the partnership in the course of its business receives money
6 or property of a third person and the money or property so received is mis-
7 applied by any partner while it is in the custody of the partnership.

Sec. 15. NATURE OF PARTNER'S LIABILITY.] All partners are liable:

2 (a) Jointly and severally for everything chargeable to the partnership
3 under sections 13 and 14.

4 (b) Jointly for all other debts and obligations of the partnership; but any
5 partner may enter into a separate obligation to perform a partnership contract.

Sec. 16. PARTNER BY ESTOPPEL.] (1) When a person, by words spoken or

2 written or by conduct, represents himself, or consents to another representing
3 him to any one, as a partner in an existing partnership or with one or more
4 persons not actual partners, he is liable to any such person to whom such rep-

5 representation has been made, who has, on the faith of such representation, given
6 credit to the actual or apparent partnership, and if he has made such repre-
7 sentation or consented to its being made in a public manner he is liable to such
8 person, whether the representation has or has not been made or communicated
9 to such person so giving credit by or with the knowledge of the apparent part-
10 ner making the representation or consenting to its being made.

11 (a) When a partnership liability results, he is liable as though he were
12 an actual member of the partnership.

13 (b) When no partnership liability results, he is liable jointly with the
14 other persons, if any, so consenting to the contract or representation as to incur
15 liability, otherwise separately.

16 (2) When a person has been thus represented to be a partner in an ex-
17 isting partnership, or with one or more persons not actual partners, he is an
18 agent of the persons consenting to such representation to bind them to the same
19 extent and in the same manner as though he were a partner in fact, with re-
20 spect to persons who rely upon the representation. Where all the members of
21 the existing partnership consent to the representation, a partnership act or
22 obligation results; but in all other cases it is the joint act or obligation of the
23 person acting and the persons consenting to the representation.

Sec. 17. LIABILITY OF INCOMING PARTNER.] A person admitted as a partner

2 into an existing partnership is liable for all the obligations of the partner-
3 ship arising before his admission as though he had been a partner when such
4 obligations were incurred, except that this liability shall be satisfied only out
5 of partnership property.

PART IV.

RELATIONS OF PARTNERS TO ONE ANOTHER.

Sec. 18. RULES DETERMINING RIGHTS AND DUTIES OF PARTNERS.] The rights

2 and duties of the partners in relation to the partnership shall be determined,
3 subject to any agreement between them, by the following rules:

4 (a) Each partner shall be repaid his contributions, whether by way of
5 capital or advances to the partnership property and share equally in the profits
6 and surplus remaining after all liabilities, including those to partners, are
7 satisfied; and must contribute towards the losses, whether of capital or other-
8 wise, sustained by the partnership according to his share in the profits.

9 (b) The partnership must indemnify every partner in respect of payments
10 made and personal liabilities reasonably incurred by him in the ordinary and
11 proper conduct of its business, or for the preservation of its business or prop-
12 erty.

13 (c) A partner, who in aid of the partnership makes any payment or ad-
14 vance beyond the amount of capital which he agreed to contribute, shall be paid
15 interest from the date of the payment or advance.

16 (d) A partner shall receive interest on the capital contributed by him only
17 from the date when repayment should be made.

18 (e) All partners have equal rights in the management and conduct of
19 the partnership business.

20 (f) No partner is entitled to remuneration for acting in the partnership
21 business, except that a surviving partner is entitled to reasonable compensation
22 for his services in winding up the partnership affairs.

23 (g) No person can become a member of a partnership without the consent
24 of all the partners.

25 (h) Any difference arising as to ordinary matters connected with the
26 partnership business may be decided by a majority of the partners; but no
27 act in contravention of any agreement between the partners may be done
28 rightfully without the consent of all the partners.

Sec. 19. PARTNERSHIP BOOKS.] The partnership books shall be kept, subject
2 to any agreement between the partners, at the principal place of business of
3 the partnership, and every partner shall at all times have access to and may
4 inspect and copy any of them.

Sec. 20. DUTY OF PARTNERS TO RENDER INFORMATION.] Partners shall render
2 on demand true and full information of all things affecting the partnership to
3 any partner or the legal representative of any deceased partner or partner
4 under legal disability.

Sec. 21. PARTNER ACCOUNTABLE AS A FIDUCIARY.] (1) Every partner must
2 account to the partnership for any benefit, and hold as trustee for it any profits
3 derived by him without the consent of the other partners from any transaction
4 connected with the formation, conduct, or liquidation of the partnership or from
5 any use by him of its property.

(2) This section applies also to the representatives of a deceased part-
7 ner engaged in the liquidation of the affairs of the partnership as the personal
8 representatives of the last surviving partner.

Sec. 22. RIGHT TO AN ACCOUNT.] Any partner shall have the right to a
2 formal account as to partnership affairs:

(a) If he is wrongfully excluded from the partnership business or pos-
4 session of its property by his co-partners,

(b) If the right exists under the terms of any agreement,

(c) As provided by section 21,

(d) Whenever other circumstances render it just and reasonable.

Sec. 23. CONTINUATION OF PARTNERSHIP BEYOND FIXED TERM.] (1) When a
2 partnership for a fixed term or particular undertaking is continued after the
3 termination of such term or particular undertaking without any express agree-
4 ment, the rights and duties of the partners remain the same as they were at
5 such termination, so far as is consistent with a partnership at will.

(2) A continuation of the business by the partners or such of them as
7 habitually acted therein during the term, without any settlement or liquida-
8 tion of the partnership affairs, is *prima facie* evidence of a continuation of the
9 partnership.

PART V.

PROPERTY RIGHTS OF A PARTNER.

Sec. 24. EXTENT OF PROPERTY RIGHTS OF A PARTNER.] The property rights
2 of a partner are (1) his rights in specific partnership property, (2) his interest
3 in the partnership, and (3) his right to participate in the management.

Sec. 25. NATURE OF A PARTNER'S RIGHT IN SPECIFIC PARTNERSHIP PROPERTY.]

2 (1) A partner is co-owner with his partners of specific partnership
3 property holding as a tenant in partnership.

4 (2) The incidents of this tenancy are such that:

5 (a) A partner, subject to the provisions of this Act and to any agreement
6 between the partners, has an equal right with his partners to possess specific
7 partnership property for partnership purposes; but he has no right to possess
8 such property for any other purpose without the consent of his partners.

9 (b) A partner's right in specific partnership property is not assignable
10 except in connection with the assignment of the rights of all the partners in
11 the same property.

12 (c) A partner's right in specific partnership property is not subject to
13 attachment or execution, except on a claim against the partnership. When part-
14 nership property is attached for a partnership debt the partners, or any of
15 them, or the representatives of a deceased partner, cannot claim any right un-
16 der the homestead or exemption laws.

17 (d) On the death of a partner his right in specific partnership property
18 vests in the surviving partner or partners, except where the deceased was the
19 last surviving partner, when his right in such property vests in his legal rep-
20 resentative. Such surviving partner or partners, or the legal representative
21 of the last surviving partner, has no right to possess the partnership property
22 for any but a partnership purpose.

23 (e) A partner's right in specific partnership property is not subject to
24 dower, curtesy, or allowances to widows, heirs, or next of kin.

Sec. 26. NATURE OF PARTNER'S INTEREST IN THE PARTNERSHIP.] A partner's
2 interest in the partnership is his share of the profits and surplus, and the same
3 is personal property.

Sec. 27. ASSIGNMENT OF PARTNER'S INTEREST.] (1) A conveyance by a part-
2 ner of his interest in the partnership does not of itself dissolve the partner-
3 ship, nor, as against the other partners in the absence of agreement, en-
3½ titled the assignee, during the continuance of the partnership, to interfere
4 in the management or administration of the partnership business or affairs,
5 or to require any information or account of partnership transactions, or to in-
6 spect the partnership book; but it merely entitles the assignee to receive in ac-
7 cordance with his contract the profits to which the assigning partner would
8 otherwise be entitled.

9 (2) In case of a dissolution of the partnership, the assignee is entitled to
10 receive his assignor's interest and may require an account from the date only
11 of the last account agreed to by all the partners.

Sec. 28. PARTNER'S INTEREST SUBJECT TO CHARGING ORDER.] (1) On due appli-
2 cation to a competent court by any judgment creditor of a partner, the court
3 which entered the judgment, order, or decree, or any other court, may charge
4 the interest of the debtor partner with payment of the unsatisfied amount of
5 such judgment debt with interest thereon; and may then or later appoint a
6 receiver of his share of the profits, and of any other money due or to fall due
7 to him in respect of the partnership, and make all other orders, directions, ac-
8 counts and inquiries which the debtor partner might have made, or which the
9 circumstances of the case may require.

10 (2) The interest charged may be redeemed at any time before foreclosure,
11 or in case of a sale being directed by the court may be purchased without
12 thereby causing a dissolution:

13 (a) With separate property, by any one or more of the partners, or

14 (b) With separate property, by any one or more of partners with the
15 consent of all the partners whose interests are not so charged or sold.

16 (3) Nothing in this Act shall be held to deprive a partner of his right,
17 if any, under the exemption laws, as regards his interest in the partnership.

PART VI.

DISSOLUTION AND WINDING UP.

Sec. 29. DISSOLUTION DEFINED.] The dissolution of a partnership is the
2 change in the relation of the partners caused by any partner ceasing to be
3 associated in the carrying on as distinguished from the winding up of the busi-
4 ness.

Sec. 30. PARTNERSHIP NOT TERMINATED BY DISSOLUTION.] On dissolution the
2 partnership is not terminated, but continues until the winding up of partner-
3 ship affairs is completed.

Sec. 31. CAUSES OF DISSOLUTION.] Dissolution is caused:

- 2 (1) Without violation of the agreement between the partners,
- 3 (a) By the termination of the definite term or particular undertaking
- 4 specified in the agreement.
- 5 (b) By the express will of any partner when no definite term or particular
- 6 undertaking is specified,
- 7 (c) By the express will of all the partners who have not assigned their
- 8 interests or suffered them to be charged for their separate debts, either before
- 9 or after the termination of any specified term or particular undertaking,
- 10 (d) By the expulsion of any partner from the business *bona fide* in accord-
- 11 ance with such a power conferred by the agreement between the partners;
- 12 (2) In contravention of the agreement between the partners, where the
- 13 circumstances do not permit a dissolution under any other provision of this
- 14 section, by the express will of any partner at any time;
- 15 (3) By any event which makes it unlawful for the business of the part-
- 16 nership to be carried on or for the members to carry it on in partnership;
- 17 (4) By the death of any partner;
- 18 (5) By the bankruptcy of any partner or the partnership;

(6) By degree of court under section 32.

Sec. 32. DISSOLUTION BY DEGREE OF COURT.] (1) On application by or for a partner the court shall decree a dissolution whenever:

(a) A partner has been declared a lunatic in any judicial proceeding or is shown to be of unsound mind.

(b) A partner becomes in any other way incapable of performing his part of the partnership contract,

(c) A partner has been guilty of such conduct as tends to affect prejudicially the carrying on of the business,

(d) A partner wilfully or persistently commits a breach of the partnership agreement, or otherwise so conducts himself in matters relating to the partnership business that it is not reasonably practicable to carry on the business in partnership with him,

(e) The business of the partnership can only be carried on at a loss,

(f) Other circumstances render a dissolution equitable.

(2) On the application of the purchaser of a partner's interest under sections 28 or 29:

(a) After the termination of the specified term or particular undertaking.

(b) At any time if the partnership was a partnership at will when the interest was assigned or when the charging order was issued.

Sec. 33. GENERAL EFFECT OF DISSOLUTION ON AUTHORITY OF PARTNER.] Except so far as may be necessary to wind up partnership affairs or to complete transactions begun but not then finished, dissolution terminates all authority of any partner to act for the partnership,

(1) With respect to the partners,

(a) When the dissolution is not by the act, bankruptcy or death of a partner; or

(b) When the dissolution is by such act, bankruptcy or death of a partner, in cases where section 34 so requires.

(2) With respect to persons not partners, as declared in section 35.

Sec. 34. RIGHT OF PARTNER TO CONTRIBUTION FROM CO-PARTNERS AFTER DISSOLUTION.] Where the dissolution is caused by the Act, death or bankruptcy of a partner, each partner is liable to his co-partners for his share of any liability created by any partner acting for the partnership as if the partnership had not been dissolved unless

(a) The dissolution being by act of any partner, the partner acting for the partnership had knowledge of the dissolution, or

(b) The dissolution being by the death or bankruptcy of a partner, the partner acting for the partnership had knowledge or notice of the death or bankruptcy.

Sec. 35. POWER OF PARTNER TO BIND PARTNERSHIP TO THIRD PERSONS AFTER DISSOLUTION.] (I) If the partnership is not dissolved because it has become unlawful to carry on the business, a partner cannot, after dissolution, bind the partnership to third persons by any act which is not necessary to wind up the partnership affairs or to complete transactions then unfinished unless,

(a) Such third person, having had relations with the partnership by which a credit was extended upon the faith of the partnership, has had no knowledge or notice of the dissolution; or

(b) Such third person, not having had business relations with the partnership by which a credit was extended to the partnership, has no knowledge or notice of the dissolution, and the fact of dissolution has not been advertised in a newspaper of general circulation of the place (or of each place if more than one) at which the partnership business was regularly carried on.

(2) The partnership is in no case bound by the acts of a partner who has become bankrupt; but this provision does not affect the liability of any person who, as declared by section 16, after bankruptcy, has represented itself, or consented to another's representing him to be a partner of the bankrupt.

Sec. 36. EFFECT OF DISSOLUTION ON PARTNER'S EXISTING LIABILITY.] (1) The dissolution of the partnership does not of itself discharge the existing liability of any partner.

4 (2) A partner is discharged from any existing liability upon dissolution
5 of the partnership by an agreement to that effect between himself, the partner-
6 ship creditor and the person or partnership continuing the business; and such
7 agreement may be inferred from the course of dealing between the creditor
8 having knowledge of the dissolution and the person or partnership continuing
9 the business.

10 (3) Where a person agrees to assume the existing obligations of a dis-
11 solved partnership, the partners whose obligations have been assumed shall be
12 discharged from any liability to any creditor of the partnership who, knowing
13 of the agreement, consents to a material alteration in the nature or time of pay-
14 ment of such obligations.

15 (4) The individual property of a deceased partner shall be liable for all
16 obligations of the partnership incurred while he was a partner but subject to
17 the prior payment of his separate debts.

Sec. 37. RIGHT TO WIND UP.] Unless otherwise agreed the partners who
2 have not wrongfully dissolved the partnership or the legal representative of the
3 last surviving partner, not bankrupt, has the right to wind up the partnership
4 affairs: *Provided, however*, that any partner, his legal representative, or his
5 assignee, upon cause shown, may obtain winding up by the court.

Sec. 38. RIGHTS OF PARTNERS TO APPLICATION OF PARTNERSHIP PROPERTY.] (1)
2 When dissolution is caused in any way, except in contravention of the part-
3 nership agreement, each partner, as against his co-partners and all persons
4 claiming through them in respect of their interests in the partnership, unless
5 otherwise agreed, may have the partnership property applied to discharge its
6 liabilities, and the surplus applied to pay in cash the net amount owing to the
7 respective partners. But if dissolution is caused by expulsion of a partner,
8 *bona fide* under the partnership agreement, and if the expelled partner is dis-
9 charged from all partnership liabilities, either by payment or agreement under
10 section 36 (2), he shall receive in cash only the net amount due him from the
11 partnership.

12 (2) When dissolution is caused in contravention of the partnership agree-
13 ment the rights of the partners shall be as follows:

14 (a) Each partner who has not caused dissolution wrongfully shall have

15 I. All the rights specified in paragraph (1) of this section, and

16 II. The right, as against each partner who has caused the dissolution
17 wrongfully, to damages for breach of the agreement.

18 (b) The partners who have not caused the dissolution wrongfully, if they
19 all desire to continue the business in the same name, either by themselves or
20 jointly with others, may do so, during the agreed term for the partnership and
21 for that purpose may possess the partnership property, provided they secure
22 the payment by bond approved by the court, or pay to any partner who has
23 caused the dissolution wrongfully, the value of his interest in the partnership
24 at the dissolution, less any damages recoverable under clause (2a II) of this sec-
25 tion, and in like manner indemnify him against all present or future partner-
26 ship liabilities.

27 (c) A partner who has caused the dissolution wrongfully shall have:

28 I. If the business is not continued under the provisions of paragraph
29 (2b) all the rights of a partner under paragraph (1), subject to clause (2a II)
30 of this section.

31 II. If the business is continued under paragraph (2b) of this section the
32 right as against his co-partners and all claiming through them in respect of
33 their interests in the partnership, to have the value of his interest in the partner-
34 ship, less any damages caused to his co-partners by the dissolution, ascer-
35 tained and paid to him in cash, or the payment secured by bond approved by
36 the court, and to be released from all existing liabilities of the partnership;
37 but in ascertaining the value of the partner's interest the value of the good will
38 of the business shall not be considered.

Sec. 39. RIGHTS WHERE PARTNERSHIP IS DISSOLVED FOR FRAUD OR MISREPRESENTATION.] Where a partnership contract is rescinded on the ground of the fraud

3 or misrepresentation of one of the parties thereto, the party entitled to rescind
4 is, without prejudice to any other right, entitled,

5 (a) To a lien on, or right of retention of, the surplus of the partnership
6 property after satisfying the partnership liabilities to third persons for any
7 sum of money paid by him for the purchase of an interest in the partnership
8 and for any capital or advances contributed by him; and

9 (b) To stand, after all liabilities to third persons have been satisfied, in
10 the place of the creditors of the partnership for any payments made by him
11 in respect of the partnership liabilities; and

12 (c) To be indemnified by the person guilty of the fraud or making the rep-
13 resentation against all debts and liabilities of the partnership.

Sec. 40. RULES FOR DISTRIBUTION.] In settling accounts between the part-
2 ners after dissolution, the following rules shall be observed, subject to any
3 agreement to the contrary:

4 (a) The assets of the partnership are:

5 I. The partnership property.

6 II. The contributions of the partners necessary for the payment of all the
7 liabilities specified in clause (b) of this paragraph.

8 (b) The liabilities of the partnership shall rank in order of payment as
9 follows:

10 I. Those owing to creditors other than partners.

11 II. Those owing to partners other than for capital and profits,

12 III. Those owing to partners in respect of capital,

13 IV. Those owing to partners in respect of profits.

14 (c) The assets shall be applied in the order of their declarations in clause
15 (a) of this paragraph to the satisfaction of the liabilities.

16 (d) The partners shall contribute, as provided by section 18 (a) the
17 amount necessary to satisfy the liabilities; but if any, but not all, of the part-
18 ners are insolvent, or, not being subject to process, refuse to contribute, the
19 other partners shall contribute their share of the liabilities, and, in the relative

20 proportions in which they share the profits, the additional amount necessary to
21 pay the liabilities.

22 (e) An assignee for the benefit of creditors or any person appointed by
23 the court shall have the right to enforce the contributions specified in clause
24 (d) of this paragraph.

25 (f) Any partner or his legal representative shall have the right to enforce
26 the contributions specified in clause (d) of this paragraph, to the extent of the
27 amount which he has paid in excess of his share of the liability.

28 (g) The individual property of a deceased partner shall be liable for the
29 contributions specified in clause (d) of this paragraph.

30 (h) When partnership property and the individual properties of the part-
31 ners are in the possessions of a court for the distribution, partnership creditors
32 shall have priority on partnership property and separate creditors on individ-
33 ual property, saving the rights of lien or secured creditors as heretofore.

34 (i) Where a partner has become bankrupt or his estate is insolvent the
35 claims against his separate property shall rank in the following order:

- 36 I. Those owing to separate creditors,
- 37 II. Those owing to partnership creditors,
- 38 III. Those owing to partners by way of contribution.

Sec. 41. LIABILITY OF PERSONS CONTINUING THE BUSINESS IN CERTAIN CASES.]

2 (1) When any partner retires and assigns (or the representative of a deceased
3 partner assigns) his rights in partnership property to two or more of the part-
4 ners, or to one or more of the partners and one or more third persons, who
5 continue the business without liquidation of the partnership affairs, creditors of
6 the dissolved partnership are also creditors of the partnership so continuing
7 the business.

8 (2) When all but one partner retire and assign (or the representative of
9 a deceased partner assigns) their rights in partnership property to the remain-
10 ing partner, who continues the business without liquidation of partnership af-

11 fairs, either alone or with others, creditors of the dissolved partnership are also
12 creditors of the person or partnership so continuing the business.

13 (3) When any partner retires or dies and the business of the dissolved
14 partnership is continued as set forth in paragraphs (1) and (2) of this section,
15 with the consent of the retired partners or the representative of the deceased
16 partner, but without any assignment of his right in partnership property,
17 rights of creditors of the dissolved partnership and of the creditors of the per-
18 son or partnership continuing the business shall be as if such assignment had
19 been made.

20 (4) When all the partners or their representatives assign their rights in
21 partnership property to one or more third persons who promise to pay the debts
22 and who continue the business of the dissolved partnership, creditors of the dis-
23 solved partnership are also creditors of the person or partnership continuing
24 the business.

25 (5) When any partner wrongfully causes a dissolution and the remaining
26 partners continue the business under the provisions of section 38 (2b), either
27 alone or with others, and without liquidation of the partnership affairs, cred-
28 itors of the dissolved partnership are also creditors of the person or partner-
29 ship continuing the business.

30 (6) When a partner is expelled and the remaining partners continue the
31 business either alone or with others, without liquidation of the partnership af-
32 fairs, creditors of the dissolved partnership are also creditors of the person
33 or partnership continuing the business.

34 (7) The liability of a third person becoming a partner in the partner-
35 ship continuing the business, under this section to the creditors of the dissolved
36 partnership shall be satisfied out of partnership property only.

37 (8) When the business of a partnership after dissolution is continued
38 under any conditions set forth in this section the creditors of the dissolved
39 partnership, as against the separate creditors of the retiring or deceased part-
40 ner or the representative of the deceased partner, have a prior right to any
41 claim of the retired partner or the representative of the deceased partner

42 against the person or partnership continuing the business, on account of the re-
43 tired or deceased partner's interest in the dissolved partnership or on account
44 of any consideration promised for such interest or for his right in partnership
45 property.

46 (9) Nothing in this section shall be held to modify any right of creditors
47 to set aside any assignment on the ground of fraud.

48 (10) The use by the person or partnership continuing the business of the
49 partnership name, or the name of a deceased partner as part thereof, shall not
50 of itself make the individual property of the deceased partner liable for any
51 debts contracted by such person or partnership.

Sec. 42. RIGHTS OF RETIRING OR ESTATE OF DECEASED PARTNER WHEN THE BUSI-
2 NESS IS CONTINUED.] When any partner retires or dies, and the business is con-
3 tinued under any of the conditions set forth in section 41 (1, 2, 3, 5, 6), or sec-
4 tion 38 (2b), without any settlement of accounts as between him or his estate
5 and the person or partnership continuing the business, unless otherwise agreed,
6 he or his legal representative as against such persons or partnership may have
7 the value of his interest at the date of dissolution ascertained, and shall receive
8 as an ordinary creditor an amount equal to the value of his interest in the dis-
9 solved partnership with interest, or, at his option or at the option of his legal
10 representative, in lieu of interest, the profits attributable to the use of his right
11 in the property of the dissolved partnership: *Provided*, that the creditors of
12 the dissolved partnership as against the separate creditors, or the representa-
13 tive of the retired or deceased partner, shall have priority on any claim arising
14 under this section, as provided by section 41 (8) of this Act.

Sec. 43. ACCRUAL OF ACTIONS.] The right to an account of his interest shall
2 accrue to any partner, or his legal representative, as against the winding up
3 partners or the surviving partners or the person or partnership continuing
4 the business, at the date of dissolution, in the absence of any agreement to
5 the contrary.

Sec. 44. This Act shall be so interpreted and construed as to effect its
2 general purpose to make uniform the law of those states which enact it.

Sec. 45. All Acts or parts of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. Igoe, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 3 of an Act entitled: "An Act relating to fire-escapes in hotels, inns and public lodging houses, and providing that such buildings shall be equipped with appliances for the safety of guests in case of fire and providing penalties for the violation of the provisions thereof, and repealing all Acts and parts of Acts in conflict therewith," approved June 26, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 3 of an Act entitled: "An Act relating to fire-escapes in hotels, inns and public lodging houses, and providing that such buildings shall be equipped with appliances for the safety of guests in case of fire and providing penalties for the violation of the provisions thereof, and repealing all Acts and parts of Acts in conflict therewith," approved June 26, 1913, in force July 1, 1913, be amended so as to read as follows:

"Sec. 3. Any person, persons or corporations, keeping, maintaining, controlling or managing any building or structure kept, used or maintained as

3 an inn, hotel, public lodging house, or place where sleeping accommodations
4 are furnished to the public, whether with or without meals, shall supply and
5 shall keep at all times, and in plain sight, and securely attached therein and
6 thereto, in every bedroom or sleeping apartment, on second floor, and above
7 the second floor, a manilla rope, not less than five-eighths of an inch in diame-
8 ter with knots not more than fifteen inches apart, and of sufficient strength to
9 sustain a weight and strain of at least five hundred pounds, and of sufficient
10 length to reach the ground. Upon failure to supply such ropes such person,
11 persons, or corporations shall be deemed guilty of a misdemeanor, and on
12 conviction thereof shall be fined not less than ten dollars, nor more than one
13 hundred dollars: *Provided, however,* that nothing in this section will be con-
14 strued to prevent the use of any automatic rope fire-escape, in place of the
15 knotted rope: *Provided, further,* that the provisions of this Act relating to
16 outside fire-escapes and ropes or automatic appliances, shall not apply to hotels
17 of fire-proof construction, *nor to hotels in which there shall have been installed*
18 *and maintained in good working order an approved system of automatic*
19 *sprinklers."*



- 1 Introduced by Mr. Leech, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to regulate cold storage articles of food and to promote uniformity be-
tween the states in reference thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* For the purpose of this Act, “cold stor-
3 age” shall mean the storage or keeping of articles of food at or below a temper-
4 ature above zero of 45 degrees Fahrenheit in a cold storage warehouse; “cold
5 storage warehouse” shall mean any place artificially cooled to or below a temper-
6 ature above zero of 45 degrees Fahrenheit, in which articles of food are placed
7 and held for thirty days or more; “article of food” shall mean fresh meat and
8 fresh meat products and all fish, game, poultry, eggs and butter.

Sec. 2. No person, firm or corporation shall maintain or operate a cold
2 storage warehouse without a license so to do issued by the State Food Com-
3 missioner. Any person, firm or corporation desiring such a license shall make
4 written application to the State Food Commissioner for that purpose, stating
5 the location of the warehouse. The State Food Commissioner thereupon shall

6 cause an examination to be made of said warehouse and, if it be found by him
 7 to be in a proper sanitary condition and otherwise properly equipped for its
 8 intended use, he shall issue a license authorizing the applicant to operate the
 9 same as a cold storage warehouse during one year. The license shall be issued
 10 upon payment by the applicant of a license fee of twenty-five dollars to the
 11 Treasurer of the State.

Sec. 3. In case any cold storage warehouse, or any part thereof, shall at
 2 any time be deemed by the State Food Commissioner to be in an unsanitary
 3 condition, or not properly equipped for its intended use, he shall notify the
 4 licensee of such condition and upon the failure of the licensee to put such cold
 5 storage warehouse in a sanitary condition or to properly equip the same for
 6 its intended use, within a time to be designated by the State Food Commis-
 7 sioner, he shall revoke such license.

Sec. 4. Every such licensee shall keep accurate records of the articles of
 2 food received in and of the articles of food withdrawn from his cold storage
 3 warehouse, and the State Food Commissioner shall have free access to such
 4 records at any time. Every such licensee shall submit a monthly report to the
 5 State Food Commissioner, setting forth in itemized particulars the quantities
 6 and kinds of articles of food in his cold storage warehouse. Such monthly re-
 7 ports shall be filed on or before the fifth day of each month, and the reports so
 8 rendered shall show the conditions existing on the last day of the preceding
 9 month reported and a summary of such reports shall be prepared by the State
 10 Food Commissioner and shall be open to public inspection on or before the
 11 tenth day of each month.

Sec. 5. The State Food Commissioner shall inspect and supervise all cold
 2 storage warehouses and make such inspection of articles of food therein as he
 3 may deem necessary to secure the proper enforcement of this Act, and he shall
 4 have access to all cold storage warehouses at all reasonable times. The State

5 Food Commissioner may appoint such persons as he deems qualified to make
6 any inspection under this Act.

Sec. 6. No article of food intended for human consumption shall be placed,
2 received or kept in any cold storage warehouse, if diseased, tainted, otherwise
3 unfit for human consumption, or in such condition that it will not keep whole-
4 some for human consumption. No article of food, for use other than for human
5 consumption, shall be placed, received or kept in any cold storage warehouse
6 unless previously marked, in accordance with forms to be prescribed by the
7 State Food Commissioner, in such a way as to indicate plainly the fact that such
8 article of food is not to be sold or used for human food.

Sec. 7. No person, firm or corporation shall place, receive or keep in any
2 cold storage warehouse in this State articles of food unless the same shall be
3 plainly marked, stamped or tagged, either upon the container in which they are
4 packed, or upon the article of food itself, with the date when placed therein; and
5 no person, firm or corporation shall remove, or allow to be removed, such article
6 of food from any cold storage warehouse unless the same shall be plainly
7 marked, stamped or tagged, either on the container in which it is enclosed or
8 upon the article of food itself, with the date of such removal, and such marks,
9 stamps and tags shall be *prima facie* evidence of such receipt and removal and
10 of the dates thereof. All articles of food in any cold storage warehouse at
11 the time this Act goes into effect, shall, before being removed therefrom, be
12 plainly marked, stamped or tagged with the date when this Act goes into effect
13 and the date of removal therefrom.

Sec. 8. No person, firm or corporation shall hereafter keep or permit to
2 remain in any cold storage warehouse any article of food which has been held
3 in cold storage either within or without the State, for a longer aggregate per-
4 iod than twelve months, except with the consent of the State Food Commission-
5 er as hereinafter provided. The State Food Commissioner shall, upon appli-
6 cation during the twelfth month, extend the period of storage beyond twelve

7 months for any particular article of food, provided the same is found upon examination to be in proper condition for further cold storage. The length of time for which such further storage is allowed shall be specified in the order granting the permission. A report on each case in which such extension of storage may be permitted, including information relating to the reason for the action of the State Food Commissioner, the kinds and amounts of the articles of food for which the storage period was extended, and the length of time for which this continuance was granted, shall be filed, open to public inspection, in the office of the State Food Commissioner, and shall be included in his annual report. Such extension shall be not more than sixty days; a second extension of not more than sixty days may be granted upon a re-examination, but the entire extended period shall be not more than one hundred and twenty days in all.

Sec. 9. It shall be unlawful to sell, or to offer for sale, any article of food which has been held for a period of thirty days or over in cold storage either within or without the State, without notifying persons purchasing, or intending to purchase, the same, that it has been so held, by the display of a placard plainly and conspicuously marked, "Cold Storage Goods" on the bulk mass or articles of food; and it shall be unlawful to represent or advertise as fresh any article of food which has been held in cold storage for a period of thirty days or over.

Sec. 10. It shall be unlawful to return to any cold storage warehouse any article of food which has been once released from storage for the purpose of placing it on the market for sale. It shall be unlawful to transfer any article of food from one cold storage warehouse to another if such transfer is made for the purpose of avoiding any provision of this Act, and such transfer shall be unlawful unless all prior stampings, markings and taggings upon such article shall remain thereon.

Sec. 11. The State Food Commissioner may make all necessary rules and regulations to carry this Act into effect. Such rules and regulations shall be filed in the commissioner's office, and shall not take effect until 30 days after such filing.

Sec. 12. Any person, firm or corporation violating any provision of this Act shall be guilty of a misdemeanor and shall upon conviction be punished for the first offense by a fine not exceeding one hundred (\$100) dollars and for the second or any subsequent offense by a fine not exceeding one thousand (\$1,000) dollars or by imprisonment of not more than six months, or by both such fine and imprisonment in the discretion of the court.

Sec. 13. This Act shall be so interpreted and construed as to effect its general purpose to make uniform the law of those states which enact it.

Sec. 14. This Act may be cited as the Uniform Cold Storage Act.

Sec. 15. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

- 1 Introduced by Mr. Merritt, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 2 of an Act entitled, "An Act to revise the law in relation to mortgages of real and personal property," approved March 26th, 1874, in force July 1st, 1874, as amended by an Act approved May 13th, 1905, in force July 1st, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 2 of an Act entitled, "An Act to revise the law in relation to mortgages of real and personal property," approved March 26th, 1874, in force July 1st, 1874, as amended by the Act approved May 13th, 1905, in force July 1st, 1905, be and the same is hereby amended so as to read as follows:

Sec. 2. ACKNOWLEDGMENT.] Such instruments shall be acknowledged before a justice of the peace or the county judge of the county where the mortgagor resides or before the clerk or any deputy clerk of any municipal court in such county, or if the mortgagor is not a resident of the State at the time of making the acknowledgment, then before any officer authorized by law to take acknowledgment of deeds: *Provided however,* that in counties having a popu-

lation of more than two hundred thousand, such instrument, if the mortgagor is a resident of the State at the time of making the acknowledgment, shall be acknowledged before a justice of the peace of the town or precinct where the mortgagor resides, or if there be no justice of the peace in such town or precinct such instrument shall be acknowledged before the clerk or any deputy clerk of the municipal court in the district in which the mortgagor resides, or if there be no such clerk or deputy clerk, before the county judge of the county in which the mortgagor resides: *Provided, further, that such acknowledgment may be made either by the mortgagor or his attorney in fact duly authorized. The instrument authorizing such acknowledgment shall be substantially in the following form:*

I,, the Mortgagor, do hereby make, constitute and appoint
(Name of Attorney in Fact)
my attorney in fact, to appear for.....and in
behalf therefore
(Here give name of officer and official title before whom the acknowledgment is to be made)

and acknowledge the execution of the within mortgage.

Give under hand and seal thisday of
A. D. 19....

..... (SEAL)

Mortgagor.

The certificate of acknowledgment if made by the mortgagor in person shall be in the following form:

This (name of instrument) was acknowledged before me by (name of grantor) (when acknowledgment is made of a resident insert the words "and entered by me") thisday of....., 19.... Witness by hand and seal.

..... (SEAL)

Name of Officer.

41. If the acknowledgment is made by an attorney in fact, the certificate of ac-
42 knowledge shall be substantially in the following form:

This (name of instrument) was acknowledged before me by the within
named by
(Name of grantor) (Name of attorney)

45 h.... attorney in fact, and entered by me this.....day of
46, 19....

47 (SEAL)

48 _____ Name of Officer.

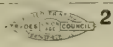
49 *Said instrument, authorizing the acknowledgment by attorney in fact as*
50 *herein specified, shall be signed by the mortgagor and shall be acknowledged*
51 *before any officer authorized to take acknowledgment of deeds.*

- 1 Introduced by Mr. Morrasy, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act providing for the forfeiture of franchises of drainage districts for non-user.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever any drainage district,
3 heretofore or hereafter organized under any drainage law of this State, shall
4 include within its territory all or the greater part of the territory of any other
5 drainage district heretofore or hereafter organized under the provisions of any
6 drainage law of this State and which former district shall not have exercised its
7 corporate functions and maintained its system of drainage for a period of at least
8 ten consecutive years immediately prior to the organization of the new district,
9 the organization of such new district, either before or after the passage of this
10 Act, shall be held from the date of its organization to have worked an ouster
11 of such former district for non-user of its franchise and such new district shall
12 proceed with its work as though no other drainage district had previously
13 existed in the territory affected.



- 1 Introduced by Mr. Morrasy, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to add a new section to be known as section 80 of “An Act to provide for drainage for agricultural and sanitary purposes and to repeal certain Acts therein named,” (approved June 27, 1885, in force July 1, 1885) as amended by an Act approved June 3, 1889 in force June 11, 1891; as amended by an Act approved June 21, 1895; in force July 1, 1895; as amended by an Act approved May 10, 1901; in force July 1, 1901; as amended by an Act approved May 11, 1901; in force July 1, 1901; as amended by an Act approved May 18, 1905, in force July 1, 1905; as amended by an Act approved and in force February 27, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be added a new section to be known as section 80 of “An Act to provide and to repeal certain Acts therein named,” (approved June 27, 1885, in force July 1, 1885). As amended by an Act approved June 3, 1889, in force July 1, 1889; as amended by an Act approved and in force June 11, 1891; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 11, 1901, in

8 force July 1, 1901; as amended by an Act approved May 18, 1905, in force July
9 1, 1905; as amended by an Act approved and in force February 27, 1907, and
10 which section so added shall read as follows:

Sec. 80. All meetings of commissioners of special drainage districts shall
2 be held at the court house in the county in which such district is organized:
3 *Provided*, that the commissioners of such special drainage districts may for
4 their own convenience and that of the land owners and parties interested, by
5 an order duly made and entered in the records of the district, designate some
6 other place within the county in which the district may be organized as the
7 office of the district and as the regular meeting place of such commissioners
8 for the transaction of the business of the district, but a notice of the adoption
9 of such other meeting place, specifying with particularity its location, shall be
10 given by the commissioners by publication for three successive weeks in at
11 least one newspaper in each county in which such special drainage district or
12 any part thereof may be situated.



- 1 Introduced by Mr. Morrasy, March 30, 1915.
- 2 Read by title, ordered printed and refererd to Committee on Farm Drainage.

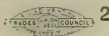
A BILL

For an Act to add a new section to be known as section 79 of “An Act to provide for drainage for agricultural and sanitary purposes and to repeal certain Acts therein named,” (approved June 27, 1885, in force July 1, 1885) as amended by an Act approved June 3, 1889, in force June 11, 1891; as amended by an Act approved June 21, 1895; in force July 1, 1895; as amended by an Act approved May 10, 1901; in force July 1, 1901; as amended by an Act approved May 11, 1901; in force July 1, 1901; as amended by an Act approved May 18, 1905, in force July 1, 1905; as amended by an Act approved and in force February 27, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That there be added a new section to be known as section 79 of “An Act to provide and to repeal certain Acts therein named,” (approved June 27, 1885, in force July 1, 1885), as amended by an Act approved June 3, 1889, in force July 1, 1889; as amended by an Act approved and in force June 11, 1891; as amended by an Act approved May 10, 1901, in force July 1, 1901; as amended by an Act approved May 11, 1901, in

8 force July 1, 1901; as amended by an Act approved May 18, 1905, in force
9 July 1, 1905; as amended by an Act approved and in force February 27, 1907,
10 and which section so added shall read as follows:

Sec. 79. If any special assessment or any part thereof, for the construc-
2 tion or repair of any work in any special drainage district heretofore or here-
3 after organized, under this Act, whether the same is made prior to the taking
4 effect of this amendment or hereafter made, has been or shall hereafter be
5 annulled or be held not legally made by any court of competent jurisdiction a
6 new assessment may be made and returned therefor and the proceedings there-
7 for shall be the same as hereinbefore provided for the prior assessment, and all
8 parties interested shall have like rights and like powers in relation to any such
9 subsequent assessment as are hereby given in relation to the prior assessment.
10 No such special assessment shall be held void because levied to pay for work
11 already done or contracted for if it appears that such work was done in good
12 faith under a contract duly let and executed in substantial compliance with the
13 plans providing for the same. The fact that the prior assessment may have
14 been held invalid or annulled by the court for the reason that the meetings of
15 the drainage commissioners in reference thereto were held outside of the drain-
16 age district or for the reason that the lands were classified before the right of
17 way was procured shall not be a bar to a subsequent assessment to pay for the
18 work done and for which such prior assessment was ordered to be made. The
19 fact that the drainage commissioners have already made or attempted to make
20 a subsequent assessment to pay for the said work done in contemplation of
21 such prior assessment set aside, annulled or held invalid by the court shall also
22 not be construed to prevent the application of this section.



- 1 Introduced by Mr. Pace (by request) March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 5 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 5 of an Act entitled, "An
3 Act to establish and maintain a system of free schools," approved and in
4 force June 12, 1909, be and the same is hereby amended so as to read as fol-
5 lows:

Sec. 5. On Tuesday next after the first Monday in November, 1918, and
2 quadrennially thereafter, there shall be elected by the qualified voters of every
3 county in the State, a county superintendent of schools, who shall enter upon
4 the discharge of his duties the first Monday of August next after his election.



- 1 Introduced by Mr. Pierson, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act relating to the extortion or attempted extortion of money or property for the purpose of avoiding, settling or terminating disputes or controversies between associations or classes of workmen or workwomen and employers or property owners.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: Whoever, by virtue of representing or under color of representing, associations or classes of workmen or workwomen, extorts or attempts to extort, accepts or obtains, or endeavors to obtain, from an employer or property owner, or from the agent of either of them, money or other property as a consideration for the withholding, withdrawing, settlement or termination of a demand, dispute or controversy between such workmen or workwomen and employers or property owners, relating to the employment of such workmen or workwomen or relating to the handling, delivery or use of materials or supplies, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than one hundred dollars, nor more than two thousand dollars,

12 or imprisoned in the county jail for not more than one year, or both, in the dis-
13 cretion of the court.

Sec. 2. Whoever, by virtue of representing, or under color of representing,
2 associations or classes of workmen or workwomen, extorts or attempts to ex-
3 tort, induces or compels, or attempts to induce or compel, an employer or prop-
4 erty owner, or the agent of either of them, to pay money or other property as a
5 consideration for the withholding, withdrawing, settlement or termination of a
6 demand, dispute or controversy, between such workmen or workwomen and em-
7 ployers or property owners relating to the employment of such workmen or
8 workwomen, or relating to the handling, delivery or use of materials or sup-
9 plies, shall be guilty of a misdemeanor and upon conviction shall be fined not
10 less than one hundred dollars, nor more than two thousand dollars, or impris-
11 oned in the county jail for not more than one year, or both, in the discretion of
12 the court.

Sec. 3. It shall be unlawful for an association, or class of workmen or
2 workwomen to demand, receive, or obtain from an employer or property owner,
3 or from the agent of either of them, money or other property as a consideration
4 for the withholding, withdrawal, settlement or termination of a demand, dispute
5 or controversy between such workmen or workwomen and employers or prop-
6 erty owners, relating to the employment of such workmen or workwomen, or
7 relating to the handling, delivery or use of materials or supplies. Any repre-
8 sentative or member of such association or class of workmen or workwomen who
9 makes, authorizes or ratifies such a demand, or authorizes or ratifies the receiv-
10 ing or obtaining of money or other property under such circumstances, shall be
11 guilty of a misdemeanor, and upon conviction shall be fined not less than one
12 hundred dollars nor more than two thousand dollars, or imprisoned in the coun-
13 ty jail for not more than one year, or both, in the discretion of the court.

- 1 Introduced by Mr. Quisenberry, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act an Act entitled, "An Act empowering commissioners of highways in counties under township organization, and commissioners of highways of road districts in counties not under township organization to authorize and permit the construction of pole lines and conduits for the transmission of electric energy for lighting and power purposes, along, upon and across the public highways and public and private roads, and legalizing such permission where heretofore given.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the commissioners of highways of
3 townships in counties under township organization, and the commissioners of
4 highways of road districts in counties not under township organization, be and
5 they are authorized and empowered to grant permission and authority to any
6 person, firm or corporation to erect poles, posts, piers, wires, pole lines or con-
7 duits for the transmission of electric current or electric energy for lighting and
8 power purposes in along, upon or across any public road or any public and

9 private road: *Provided*, nothing in this statute enacted shall affect the estate,
10 interests or rights of the owner of the fee underlying such public road or pub-
11 lic and private road.

Sec. 2. Such commissioners of highways of townships in counties under
2 township organization, and commissioners of highways of road districts in coun-
3 ties not under township organization shall have the power to direct any alter-
4 ation in the location or erection of any such poles, posts, piers, wires, pole lines
5 or conduits and also in the height of the wires having first given the company
6 or its agent opportunity to be heard in regard to such alteration, subject to
7 the rights, powers and authority conferred by law upon the State Public Utili-
8 ties Commission of the State of Illinois.

Sec. 3. Any such consent or permission heretofore granted or conferred
2 as hereinabove provided, shall be and hereby is declared legal and valid, as if
3 therefore authorized as hereinabove provided.



- 1 Introduced by Mr. Scholes, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation of the sum of five thousand dollars (\$5,000.00), for the payment of damages for injuries suffered by and as compensation for injury to Thresa Guppy and providing for the payment of said amount out of the State treasury.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand dollars (\$5,000.00) be, and the same is hereby appropriated and directed to be paid from any fund not otherwise appropriated in the State treasury of the State of Illinois, for the payment of damages for injuries suffered by Thresa Guppy, and as compensation for said injuries received at the Peoria State Hospital at South Bartonville, Illinois, on the 31st day of March, A. D. 1913.

The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the State Treasurer in favor of the said Thresa Guppy for the sum hereby appropriated, and the State Treasurer shall pay the same out of any money in the State treasury not otherwise appropriated.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 554

1915



2

1 Adopted June 8, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 554, as printed in the House, in the title thereof by

2 striking out the words and figures, "five thousand dollars (\$5,000.00)" and in-
3 serting in lieu thereof the words and figures, "two thousand dollars (\$2,-
4 000.00)."

AMENDMENT NO. 2.

Amend House Bill No. 554, as printed in the House, section 1, lines 2 and

2 3, by striking out the words and figures, "five thousand dollars (\$5,000.00)," and
3 inserting in lieu thereof the words and figures, "two thousand dollars
4 (\$2,000.00)."

- 1 Introduced by Mr. Vickers, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to amend an Act entitled, "An Act for the conservation of game, wild fowl, birds and fish in the State of Illinois, for the appointment of a commission and staff for the enforcement thereof, and to repeal certain Acts relating thereto," approved June 23, 1913, in force July 1, 1913, by amending section four (4) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act for the conservation of game, wild fowl, birds and fish in the State of Illinois, for the appointment of a commission and staff for the enforcement thereof, and to repeal certain Acts relating thereto," approved June 23, 1913, in force July 1, 1913, be and the same is hereby amending section four (4) thereof, so that the said section four (4) when amended shall read as follows:

Sec. 4. It is hereby declared to be unlawful to hunt, kill, net, entrap, ensnare, destroy or attempt to hunt, kill, net, entrap, ensnare or destroy any bobwhite quail from the 10th day of December to the 10th day of November (both inclusive) of each succeeding year, nor more than twelve by any one person in

12 one day; or any pinnated grouse (prairie chicken) from the 25th day of Novem-
 13 ber of any year to the 10th day of November (both inclusive) of the next suc-
 14 ceeding year, nor more than three by one person in one day; or any ruffled
 15 grouse (partridge), Mexican blue quail, California mountain quail, California
 16 valley quail, Hungarian partridge, capercailzie, heath grouse (black grouse), or
 17 wood cock for the period up to and including July 1, 1920; or any gray, red fox
 18 or black squirrel from the 15th day of November to the 1st day of July of each
 19 succeeding year; *or for any hunter to shoot or kill more than ten (10) red fox*
 20 *or black squirrels in any one day*, or any of the order of Limicolae or shore birds,
 21 commonly known as jacksnipe, Wilson's snipe, sand snipe, or any kind of snipe,
 22 or any golden plover, upland plover, or any kind of plover, from the 1st day of
 23 May to the 1st day of September (both inclusive) of any year, or any mourn-
 24 ing dove from November 1st of any year to August 15th of the succeeding year,
 25 nor more than fifteen by one person in one day. And it shall be unlawful to
 26 kill, hunt, ensnare, entrap or attempt to kill, hunt, ensnare, entrap, or otherwise
 27 destroy any wild goose, duck, brant, coot (mud hen), rail or other water fowl at
 28 any time from the 15th day of April to the 1st day of September (both inclusive)
 29 of each year. And it shall be unlawful to hunt, kill, entrap, ensnare or attempt
 30 to hunt, kill, entrap, ensnare or otherwise destroy any wild goose, duck, brant,
 31 coot, rail, or other water fowl between the sunset of any day and the sunrise of
 32 the next succeeding day at any period of the year. And it shall further be un-
 33 lawful at any time to hunt, kill, entrap, ensnare or attempt to hunt, kill, entrap,
 34 ensnare or otherwise destroy any wild goose, brant, duck, coot, rail or other
 35 water fowl from any fixed or artificial ambush beyond the lines of natural cov-
 36 ering of reeds, canes, willows, flags, crooked brush, wild rice, or other vegetation
 37 above the water of any lake, river, bay or inlet or other water course wholly
 38 within the State, or with the aid or use of any device commonly called sneak
 39 boat, sink box or other device for the purpose of concealment in the open waters
 40 of this State.

41 And it shall be unlawful to shoot, kill or destroy, or attempt to shoot, kill
42 or destroy any wild goose, duck, brant, coot, rail or other water fowl with a
43 swivel gun or rifle, or from any sail boat, gasoline or electric launch or steam-
44 boat at any time in any part of the water of any lake, river, bay or inlet or
45 other water course wholly within this State: *Provided*, that it shall be unlaw-
46 ful to kill, entrap, ensnare or otherwise destroy any of the duck, geese, brant,
47 coot, rail or other water fowl, or any of the order of Limicolae or shore birds,
48 commonly known as jack snipe, Wilson's snipe, sand snipe, or any kind of
49 snipe, or any golden plover, upland plover, or any kind of plover mentioned in
50 this section, at any time for market or other commercial purposes, nor more
51 than fifteen ducks, ten geese, ten brant, twenty coots, twenty rails, or other water
52 fowl, by one person in one day.

53 Any person or persons so offending shall for each and every offense be
54 deemed guilty of a misdemeanor, and on conviction shall be fined in any sum
55 not less than fifteen nor more than fifty dollars and costs of suit, and shall stand
56 committed to the county jail until such fine and costs are paid: *Provided*, that
57 such imprisonment shall not exceed ten days; and the killing of each bird or
58 animal herein specified shall be deemed a separate offense: *Provided*, that
59 nothing in this section shall be construed to prevent the commission or its wardens
60 or deputies from hunting, ensnaring or entrapping any of the game birds or
61 animals in this section mentioned and transmitting them to other sections of
62 the State, where a scarcity of these game birds or animals exists, for the pur-
63 pose of propagating and restocking said sections of the State: *And, provided*
64 *further*, that before hunting, ensnaring or entrapping said commission, its war-
65 dens or deputies must first obtain the consent in writing of the tenant or land
66 owner from whose premises said game birds and animals are taken.



- 1 Introduced by Mr. Weber, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to establish a system of vocational education in the State of Illinois and to provide for the maintenance thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Illinois State Board of Voca-
3 tional Education is hereby created, which shall consist of nine members, and in
4 which shall be vested the general supervision of public vocational education in
5 the State of Illinois.

6 Two of the members of such board shall be employers of labor, versed not
7 merely in technical knowledge but in the broader aspects of education; two
8 shall be skilled employees, or accredited representatives of organized labor; two
9 shall be farmers, or persons qualified as experts in the theory and practice of
10 agriculture; three shall be educators, one of whom, *ex officio*, shall be the Sup-
11 erintendent of Public Instruction.

12 The eight appointive members shall be so appointed by the Governor not
13 later than the first of July, 1915, and shall hold their respective offices until
14 the next meeting of the General Assembly and until their successors are appoint-

ed and qualified. At the next meeting of the General Assembly after this Act shall take effect the Governor, by and with the advice and consent of the senate, shall appoint as members of said board three persons who shall hold office for two years, three who shall hold office for four years, and two who shall hold office for six years, their terms of office beginning with the first day of July in the year of their appointment and continuing until their successors are duly appointed and qualified, each member thereafter to hold office for a term of six years. In case of a vacancy the Governor shall have the power to appoint a temporary member to fill such vacancy until the next meeting of the General Assembly, when he shall appoint a member, by and with the advice and consent of the senate, to complete the unexpired term.

In these various appointments and in the filling of vacancies, the same balance between the interests represented shall be maintained as is to be found in the original board, so that the board shall always be constituted of two employers, two employees, two farmers of agricultural experts, and three educators.

In the appointment of the first board, the Governor shall designate one of the nine members of the board as chairman, and he shall act in that capacity until the meeting of the next General Assembly and until the members of the new board, appointed by the Governor by and with the advice and consent of the senate, shall have been appointed and qualified. The board shall thereafter from among its members elect its own chairman and said chairman shall hold such position for the term of four years or until his successor is elected by the board.

The members of the said board shall serve without compensation; but those who are not otherwise engaged in the official service of the State shall receive the sum of ten dollars per day during the time that they are actually engaged in work as members of the board, and all members shall be re-imbursed for all traveling and other necessary expenses that they may contract in the carrying out of the provisions of this Act.

Sec. 2. It shall be the duty of the Illinois State Board of Vocational Education, and it shall have power:

(1) To prescribe the qualifications for teachers and to issue certificates to such teachers as may meet the requirements of such qualifications, and to suspend or revoke any such certificate for any of the reasons for which certificates issued under the general school law of the State may lawfully be suspended or revoked. The local boards of vocational education created under the provisions of this Act shall not be required to obtain the approval of the State Board of vocational education for the appointment or removal of any teacher within their jurisdiction, but shall not, however, appoint any teacher who has not received a certificate from the State Board of vocational education. No person shall be awarded a certificate unless he or she is of good moral character and twenty-one years of age.

(2) To counsel and confer in such a manner as it may deem best with teachers, school officers, employers and employees, farmers and agricultural experts and the local boards of vocational education as to the best method of initiating and conducting vocational schools; and to advise and assist the latter in carrying into effect the purpose of this Act.

(3) To establish certain minimum requirements for schools which shall receive State aid, as provided hereafter in this act, and to notify all local boards of vocational education, immediately upon the creation and appointment of such boards in their particular districts or localities, of such requirements.

(4) To inspect all schools established under the provisions of this Act, and to examine their facilities for vocational work, their methods of instruction and the results obtained; and to investigate the facts regarding the supply of and demand for the various types of skill and efficiency and the manner in which the various schools are adjusting their courses to correspond to these facts.

(5) To make suggestions as to the fixing of boundary lines of proposed vocational school districts, and in case of dispute to settle the boundary-lines upon application by residents of the territory affected. Whenever the board shall settle the boundary lines of a proposed district, the board shall cause its decision to be certified forthwith to the county judge, whose duty it shall be, under the Act, to give notice of election for the organization of the ter-

33 ritory as a vocational school district, and the territory as so described shall so
34 appear upon the notice given and the ballots used at the election.

35 (6) To submit to the Governor on or before the first day of December pre-
36 ceding each regular session of the General Assembly a detailed report of its ac-
37 tivities in carrying into effect the provisions of this Act, together with a com-
38 plete statement of all expenditures incurred in such activity and of the total
39 amount of State aid given and an estimate of the amount required for the pur-
40 poses of the Act during the two years to follow. For the purposes of this re-
41 port and for its own information, the State Board shall require from the local
42 boards of vocational education detailed reports at certain intervals, not less fre-
43 quent than one in each six-month period. Private vocational schools may also
44 be requested to furnish such information as the State board may deem necessary
45 to submit to the Governor and the General Assembly.

46 (7) To appoint a secretary and such other employees as it may deem ne-
47 cessary for the conduct of the work of the board, and to fix the duties of and the
48 amounts to be paid to each, except that the salary of the secretary shall not ex-
49 ceed the sum of five thousand dollars (\$5000) per year. Such appointments,
50 other than those of secretary, of teachers, of experts temporarily employed, and
51 other positions which may be exempted by the State civil service commission,
52 shall be included in the classified service of the State, and shall be made, and be,
53 subject to the provisions of an Act entitled, "An Act to regulate the civil service
54 of the State of Illinois," approved May 11, 1905, in force July 1, 1905, and
55 Acts amendatory thereto. The office of said secretary shall be at the headquar-
56 ters of the board, which shall be suitably located in the city of Springfield, such
57 headquarters or office to be furnished and adequately equipped by the State of
58 Illinois.

59 (8) To certify to the Auditor of Public Accounts, on or before the second
60 Monday in July of each year, the amount of State aid to which each city or incor-
61 porated town and vocational school district is entitled under the provisions of
62 this Act.

Sec. 3. Any city in the State of Illinois may come under the provisions of this Act and receive its benefits in the following manner: Whenever five per cent of the qualified electors of the city, as hereinafter determined, shall have signed a petition calling for an election upon this matter and shall have certified the same to the judge of the court of the county in which said city is located, the said judge shall order that the subject of vocational education be placed upon the regular ballot in the next State, county or city election immediately following the filing of the petition, provided that such election shall take place at least sixty days after the order of the court to this effect.

The said judge shall further be required to publish a notice of said election on the matter of vocational education in all the newspapers of the city, at least five times, if possible, and thirty days prior to the election, said notice to specify the time, place, and object of the election, and to have a like notice posted in at least ten public places in the city.

The election shall be held under the election law in force in the city, and all electors, whether men or women, who have qualified as electors for the Trustees of the State University shall be entitled to vote upon the subject. The ballots for the election shall be marked as follows:

For the adoption of an Act, entitled, "An Act to establish a system of vocational education in the State of Illinois, and to provide for the maintenance thereof."	
Against the adoption of an Act, entitled, "An Act to establish a system of vocational education in the State of Illinois and to provide for the maintenance thereof."	

The voter shall mark his ballot, either for or against the proposed measure, with an X in the blank space opposite the stated line of action which he favors. Should a majority of those voting at this election vote in favor of the inauguration of this Act, it shall be in full force and effect from that time forward in that city.

Sec. 4. The direction and supervision of the vocational education system so established in the city shall be in the hands of a city board of vocational education, the members of which, five in number, shall be appointed by the board of education of the city. No member of said board of education, however, shall be eligible to appointment to the city board of vocational education.

Two of the members of this board of vocational education shall be employers of labor, two shall be skilled employees, or accredited representatives of organized labor actually engaged in their respective trade or occupation, and the fifth number shall, *ex officio*, be the superintendent of schools of the city.

The board of education shall, at the time of the first appointment, designate one of the employers and one of the employees to serve for one year, and two employers and two employees to serve for three years, and thereafter at the expiration of their terms, their successors appointed by the board of education shall serve for three years, which shall be the regular term of office, said term of office to expire in each instance on the first day of July.

Should the superintendent of schools not be able or willing to serve, his place on the board should be filled by the appointment of some local educator.

The board shall always be so constituted and vacancies on the board shall always be so filled that two of the members shall be employers of labor, two shall be employees and one an educator.

The members of the board shall receive five dollars (\$5.00) per day when actually engaged in the work of the board.

Sec. 5. The chairman of the city board of vocational education shall be elected by the board from among its own members at its first meeting, which shall take place within ten days after the appointment of the board. The chairman shall serve for the term of one year or until his successor is elected.

The board shall appoint a secretary and other employees necessary for the proper discharge of the duties of the board and shall fix the duties and compensation of the same, with the concurrence in the matter of compensation of the

8 city council. In all cities which have heretofore or may hereafter adopt an Act
9 entitled, "An Act to regulate the civil service of cities," approved and in force
10 March 20, 1895, all employees appointed by the board of vocational education of
11 the city, except the secretary, teachers experts temporarily employed, and other
12 positions which may be exempted by the civil service commission of the city
13 shall be appointed and discharged only in accordance with and in pursuance of
14 the provisions of the civil service Act and Acts amendatory thereto.

15 The board shall adopt rules and regulations, not inconsistent with this Act,
16 to govern its proceedings; and it shall adopt and use a seal for the authentica-
17 tion of its records and proceedings, of which seal the secretary shall have the
18 care and custody; and he shall keep a record of all matters pertaining to the bus-
19 iness of the board, which record shall be open at all times to public inspection.

20 Regular meetings shall be held at least semi-monthly, at times and places
21 to be fixed by the board, and special meetings may be called at any time by the
22 chairman, or by any three members, upon notice by mail to members at their ad-
23 dresses as registered with the secretary.

24 At all meetings of the board the yeas and nays shall be taken and record-
25 ed upon the adoption of all rules, and all propositions to create any liability
26 against the board of vocational education, or for the expenditure of money, and
27 in all other cases at the request of any two members, which shall be entered on
28 the journal of its proceeding.

29 None of the powers of the board of vocational education shall be exercised
30 except at a regular or special meeting of the board.

Sec. 6. The city board of vocational education shall have the power and
2 it shall be its duty:

3 (1) To establish such vocational schools, agricultural schools, continuation
4 day schools, continuation evening schools, part-time schools, as shall be necessary
5 in the city in which it is located, such schools to be decided upon by a vote of the
6 board. *Provided, however,* that no instruction shall be given in any vocational

7 school to anyone who is not fourteen years of age or who has not yet completed
8 the seventh grade in the common schools, or received an equivalent education.

9 (2) With the concurrence of the city council, to buy and lease sites for vo-
10 cational schools, with the necessary grounds, and to erect and purchase build-
11 ings for the use of vocational schools, and to keep such buildings in repair. In
12 case of necessity, the board shall have the right, with the concurrence of the
13 council, to institute condemnation proceedings for grounds desired for vocation-
14 al school purposes.

15 (3) To hire buildings and rooms for vocational school purposes and for
16 its own use; to equip all buildings with necessary fixtures, furniture, tools and
17 machinery; to employ teachers and to fix their compensation, and to provide for
18 an examination to test their capability, if the board decide that such is needed in
19 addition to the examination and requirements of the State board of vocational
20 education; to decide upon the text-books to be used in the schools; to dismiss any
21 teacher when in the judgment of the board such action is for the best interests
22 of the local vocational education system, except that such dismissal shall be
23 in writing and for specific charges likewise set out in writing, and that the
24 teacher if he or she so requests shall be allowed a further investigation by the
25 board, whose decision in the matter is final; and to take any other steps and
26 pursue any other methods which in their opinion shall be necessary to the pro-
27 per conduct of the vocational education system. *Provided, however,* that in the
28 case of any measure suggested for inauguration which is not specifically men-
29 tioned in this section, a four-fifths vote of the board shall be required for its
30 adoption; and that the board in its acts shall never incur more expense than
31 an amount equal to the sum received through State aid and the tax levied by the
32 municipality.

Sec. 7. The title to all real estate devoted to purposes of vocational educa-
2 tion shall be vested in the city in trust for the board of vocational education and
3 no sale of real estate shall be made by said city without the written request for
4 such action by the board of vocational education or without the written consent

5 of said board to the same. Whenever any real estate acquired under the provi-
6 sions of this Act shall in the judgment of the board of vocational education be-
7 come unnecessary or unsuitable for the purposes to which it had been dedicated, it
8 may be conveyed by said board, with the concurrence of the city council, to the
9 highest bidder, after giving at least thirty days' notice of the sale of such real
10 estate in at least two papers of general circulation in the city, if there be that
11 number in the said city, and by posting a like notice in ten conspicuous public
12 places in the city. The deed of conveyance shall be executed by the chairman
13 and secretary, and the proceeds paid to the city treasurer for the benefit of the
14 vocational education fund.

Sec. 8. The city council or the mayor or commissioners shall levy a tax not
2 to exceed two mills on the dollar, in case of favorable action by the majority of
3 voters in the election on the question as heretofore indicated, annually on all
4 taxable property in such city for the support of schools organized under the pro-
5 visions of this Act, such tax to be levied and collected in like manner with the
6 general taxes of such city and to be known as the "vocational education fund,"
7 which tax shall be in addition to all other taxes which the city is now or may
8 hereafter be authorized to levy.

Sec. 9. All moneys so raised for the support of the vocational schools shall
2 be held by the city treasurer and shall be paid out only at the written order of
3 the board of vocational education, signed by the chairman and secretary of said
4 board and countersigned by the mayor and comptroller, or if there be no comp-
5 troller, by the city clerk.

Sec. 10. Any village or incorporated town in the state may adopt and be-
2 come entitled to the benefits of this Act, and may establish vocational schools
3 in the same manner as prescribed for cities.

Section 11. Any community having a population of one thousand persons,
2 as shown at the last Federal census, occupying any contiguous territory and ex-

cluding therefrom any part of a city having a population exceeding 5,000 inhabitants, may organize into a vocational school district by submitting the proposition to a vote of the people in the following manner: Should fifty or more qualified voters residing for at least one year in such territory sign a petition in favor of such election and deliver the same to the county judge of the county in which the territory or the greater part thereof is situated said judge shall order that the question as to whether or not such territory shall become a vocational school district, with vocational schools organized therein shall be submitted to the qualified electors residing in said territory at the next State, county, or other general election, occurring more than sixty days after the filing of said petition.

The said judge shall further have posted for at least thirty days prior to the election in ten public places in said territory, a notice of such election, which notice shall set forth the time, place, and object of the election, and shall if there be a newspaper of general circulation in such territory, have published in said newspaper a like notice at least thirty days prior to the election, said publication to appear at least five times.

The election shall be held under the election law in force in the territory, except as herein otherwise provided, and all electors, whether men or women, who have resided in the territory for more than one year next preceding the election, and who have qualified to vote for trustees of the State University, shall be eligible to vote at the election. The ballots to be used in the election shall be in the following form:

For the organization of a vocational school district within the following territory, with the establishment and maintenance therein of vocational schools: (Territory described).	
Against the organization of a vocational school district within the following territory, with the establishment and maintenance therein of vocational schools: (Territory described).	

The voter shall signify his desires in the matter of marking with an X the space opposite the proposition of which he is in favor.

27 If the result of the election shall show that the majority of the votes cast
28 have been in favor of the establishment of a vocational school district, the terri-
29 tory shall thereupon become and be known as a vocational school district, and
30 the county judge shall order that a special election be held for members of the
31 district board of vocational education within thirty days.

Sec. 12. The district board of vocational education shall be composed of
2 four members and a chairman. Two of the said members shall at the first el-
3 ection be chosen to serve for two years and two for four years from the first day
4 of July following the election, and thereafter all members shall serve for the term
5 of four years. The chairman shall be elected at each bi-annual election, along
6 with the members to be chosen at that time, and shall serve for two years or un-
7 til his successor is elected and installed. Said bi-annual election shall be held
8 on the first Monday in April.

9 The board shall have the same powers and duties as the city board of voca-
10 tional education, except that it shall not have to obtain the concurrence of any
11 other existing body to buy and sell sites for vocational schools, or to perform
12 any other acts necessary for the conduct of the vocational education system in
13 the district. It shall also have the power to establish voting precincts for con-
14 ducting all elections under this Act, and to fix the boundaries of such precincts
15 and to designate a voting place for each of said precincts. It shall also appoint
16 two judges and one clerk for each voting place.

Sec. 13. The treasurer of the vocational school district shall be elected at
2 the bi-annual election, at which the chairman and two of the members of the
3 board are elected. He shall serve for two years. He shall receive in payment
4 of his services an amount which shall be fixed every four years in advance by
5 the board.

6 The treasurer shall be the only lawful custodian of all the funds of the vo-
7 cational school district. He shall pay out moneys from such funds only at the
8 written order of the district board of vocational education, signed by the chair-
9 man and secretary.

10 The treasurer shall upon taking office execute a bond with two or more
11 freeholders, none of whom shall be members of the board of vocational educa-
12 tion, payable to the board, conditioned upon the faithful and honest discharge of
13 his duties. The penalty of the bond shall be twice the amount of the moneys
14 and other property which he has in his custody, and shall be increased from time
15 to time as the increase of the funds in his possession shall require.

 Sec. 14. At the regular bi-annual election for the chairman and two mem-
2 bers of the board of vocational education, the qualified electors of the district
3 shall also vote the appropriation which shall be used for the purposes of voca-
4 tional education in the district for the following two years. For this purpose,
5 the district board of vocational education shall file with the county judge a state-
6 ment, not later than the first day of February preceding the election, of the ne-
7 cessary expenses for the two years, and the total sum which is requested for
8 the conduct of the system in the district, and said judge shall order that said
9 sum as set forth in the filed statement be placed on the ballot together with the
10 names of the candidates for chairman and members of the district board. If
11 any fifty qualified electors residing for one year within the district should dis-
12 agree with the sum as set forth by the board, they may sign and file a petition
13 with the said county judge at least thirty days prior to the election, stating
14 the sum which they deem necessary for the conduct of the district vocational ed-
15 ucation system for the two-year period and said judge will thereupon order
16 that the sum as set forth in the petition be placed upon the ballot.

17 Immediately upon the filing of the statement of the board of vocational edu-
18 cation and of any petition in regard to the required appropriation by fifty
19 qualified electors, the county judge shall have a statement of the sums so re-
20 quested and to be voted upon published at least five times in at least two news-
21 papers of general circulation in the district, if there be that number, and to
22 have a like statement posted in at least ten places in the district.

23 The amount so voted shall in no case exceed a tax of two mills on each one
24 dollar of taxable property within the district.

Sec. 15. Said tax shall be levied, and collected by the clerk of the county in which the district is located, or if the district be situated in more than one county, by the county clerks of the counties in which the district is so situated. On the first Monday of October annually, or as soon thereafter as may be practicable, the county clerk of each of the counties in which the district is located, shall ascertain the rate percent required to produce in the district the amount of levy, and at that rate shall extend the special tax to be levied for operating expenses and building purposes in that part of the district lying in their respective counties.

Sec. 16. Any territory not a part of any vocational school district may be annexed to a vocational school district to which the said territory is adjacent in the following manner:

Upon petition of five per cent of the qualified electors of the territory to be annexed, and five per cent of the qualified electors of the vocational school district to which annexation is desired, filed with the county judge of the county in which the vocational school district, or the greater part thereof, is situated, at least sixty days previous to the second Saturday of March of any year, the county judge shall give notice of an election, to be held on the second Saturday of March, for the purpose of deciding the question whether the said territory shall be annexed to the vocational school district, which notice shall specify the time, place and object of the election, and shall be given in the same manner, and for the same length of time, as the notice provided for in section 12 of this Act. Only the qualified electors, men and women, of the vocational school district and of the territory to be annexed, shall be eligible to vote, who have resided for at least one year in said district and territory.

The election shall be held in the manner provided by law for the holding of elections for members of boards of vocational education of vocational school districts, and the ballots of the election shall be canvassed as in other vocational school elections.

21 If it shall appear upon a canvass of the returns that a majority of the votes
 22 cast at the election in the vocational school district, and a majority of the
 23 votes cast at the election in the territory to be annexed, are in favor of the annex-
 24 ation of the said territory, the territory shall be and become so annexed, and
 25 shall thereafter be subject to taxation for the support of the vocational school
 26 or schools of the district, as fully and to the same extent as is or may be pro-
 27 vided by law for the levying of taxes upon property for the support of the vo-
 28 cational school or schools of the district. The taxes collected from the annexed
 29 territory for the support of vocational schools shall be paid by the officer col-
 30 lecting them to the treasurer of the vocational school district.

Sec. 17. Territory may be detached from one vocational school district and
 2 added to an adjacent district by a majority vote of the qualified electors of each
 3 of the districts, upon petition, notice and election, in the manner hereinabove
 4 provided for the annexation of territory to a vocational school district; and a
 5 new district may be created, in whole or in part, from adjacent parts, or all,
 6 of one or more adjacent vocational school districts, in the same manner.

Sec. 18. When any vocational school district desires to discontinue entirely
 2 the vocational school or vocational schools maintained therein, the county judge
 3 of the county in which the district, or the greater part thereof, is situated, upon
 4 petition of a majority of the qualified electors of the district, filed in the county
 5 court at least sixty days previous to the second Saturday of March of any year,
 6 shall give notice of an election, to be held on the second Saturday of March,
 7 for the purpose of deciding the question whether such vocational school or schools
 8 shall be discontinued entirely, which notice shall specify the time, place, and ob-
 9 ject of the election, and shall be given in the same manner, and for the same
 10 length of time, as the notice provided for in section 12 of this Act.

11 If it shall appear upon a canvass of the returns that a majority of the votes
 12 cast at the election are in favor of the entire discontinuing of the vocational
 13 school or schools maintained in the district, the board of vocational education

14 shall surrender the assets of the vocational school or schools to the general
15 school district fund of the township or townships interested in proportion to
16 the assessed valuation of the townships or parts of the townships comprising
17 the vocational school district.

Sec. 19. Any city or incorporated town or district which has come under
2 the provisions of this Act in the manner herein set out shall be entitled to finan-
3 cial aid from the State equal to one half of the operating expenses of the voca-
4 tional education system in said city or incorporated town or district: *Provided*,
5 that the schools in the city, incorporated town or vocational school district meet
6 the requirements of the Illinois State Board of Vocational Education and be ap-
7 proved by said State Board, the vote in favor of such aid, of at least one mem-
8 ber from each of the interests represented on the State Board, being required to
9 render said aid effective.

10 The amount of State aid to such vocational education systems is hereby made
11 a charge against the State of Illinois, and shall be paid annually to such city,
12 town or vocational school district on the warrant of the Auditor of Public Ac-
13 counts out of the money appropriated for such purposes.

14 Before granting aid to any vocational education system the State Board
15 shall require that the local board file a statement showing the expenses and
16 income for the year, the number of schools and value of real estate devoted to
17 vocational education purposes in the city, incorporated town, or vocational school
18 district. The State aid shall be awarded annually by the State Board, and
19 each year such statements shall be required of the local boards of vocational
20 education.

21 The State Board, in granting such aid, shall take into consideration the
22 manner in which the vocational education system of the city, incorporated town,
23 or vocational school district is adjusting its methods and courses to the supply
24 and demand for various trades in its locality, and may for this purpose require
25 a statement on this subject from the board of vocational education of such city,

26 incorporated town, or vocational school district, in addition to the State Board's
27 own investigations in the matter.

Sec. 20. For the purpose of maintaining the Illinois State Board of Vo-
2 cational Education and of providing for the said State aid there shall be annu-
3 ally assessed and collected such tax as shall be decided upon by the General
4 Assembly from time to time. Such tax shall be used for no other school pur-
5 poses than that of vocational education and shall not be diverted in any way
6 from the specific purpose for which it was levied—the support and maintenance
7 of the vocational schools of the State. Nor shall funds which have been col-
8 lected for other school purposes ever be devoted to the establishment and sup-
9 port of vocational schools.

Sec. 21. In all vocational education schools which may be established
2 under the provisions of such Act instructions in citizenship shall be a regular
3 part of the curriculum.

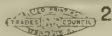
Sec. 22. The following words and phrases used in this Act shall, unless
2 another interpretation is evident from the context, have the following respec-
3 tive meanings:

4 The term "board of education" of a city, village, incorporated town shall
5 be taken to mean the board of school directors or any other corporate body
6 charged with the management and control of the schools in the city, village or
7 incorporated town.

8 The term "vocational education system" shall apply to the local system of
9 vocational education as set up in any city, incorporated town or vocational
10 school district. It shall be distinguished from "a system of vocational educa-
11 tion" or "system of vocational education," which term applies only to the sys-
12 tem in general established in Illinois.

13 The term "qualified voters" shall mean those who are entitled to vote for
14 the trustees of the State University.

15 The term "operating expenses" shall mean all the expenses required in the
16 carrying out of this Act, except in the purchase of real estate and the erection
17 of buildings.



- 1 Introduced by Mr. DeYoung, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to make uniform the law relating to the sale of goods.

PART I.

FORMATION OF THE CONTRACT.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* CONTRACTS TO SELL AND SALES.] (1) A
3 contract to sell goods is a contract whereby the seller agrees to transfer the
4 property in goods to the buyer for a consideration called the price.

5 (2) A sale of goods is an agreement whereby the seller transfers the prop-
6 erty in goods to the buyer for a consideration called the price.

7 (3) A contract to sell or a sale may be absolute or conditional.

8 (4) There may be a contract to sell or a sale between one part owner and
9 another.

Sec. 2. CAPACITY—LIABILITIES FOR NECESSARIES.] Capacity to buy and sell is
2 regulated by the general law concerning capacity to contract, and to transfer
3 and acquire property.

4 Where necessities are sold and delivered to an infant, or to a person who
5 by reason of mental incapacity or drunkenness is incompetent to contract, he
6 must pay a reasonable price therefor.

7 Necessaries in this section mean goods suitable to the condition in life
8 of such infant or other person, and to his actual requirements at the time of
9 delivery.

FORMALITIES OF THE CONTRACT.

Sec. 3. FORM OF CONTRACT OR SALE.] Subject to the provisions of this Act
2 and of any statute in that behalf, a contract to sell or a sale may be made in
3 writing (either with or without seal), or by word of mouth, or partly in writ-
4 ing and partly by word of mouth, or may be inferred from the conduct of
5 the parties.

Sec. 4. STATUTE OF FRAUDS.] (1) A contract to sell or a sale of any goods
2 or choses in action of the value of five hundred dollars or upwards shall not be
3 enforceable by action unless the buyer shall accept part of the goods or choses
4 in action so contracted to be sold or sold, and actually receive the same, or give
5 something in earnest to bind the contract, or in part payment, or unless some
6 note or memorandum in writing of the contract or sale be signed by the party
7 to be charged or his agent in that behalf.

8 (2) The provisions of this section apply to every such contract or sale,
9 notwithstanding that the goods may be intended to be delivered at some future
10 time or may not at the time of such contract or sale be actually made, procured,
11 or provided, or fit or ready for delivery, or some act may be requisite for the
12 making or completing thereof, or rendering the same fit for delivery; but if the
13 goods are to be manufactured by the seller especially for the buyer and are
14 not suitable for sale to others in the ordinary course of the seller's business, the
15 provisions of this section shall not apply.

16 (3) There is an acceptance of goods within the meaning of this section
17 when the buyer, either before or after delivery of the goods, expresses by words
18 or conduct his assent to becoming the owner of those specific goods.

SUBJECT MATTER OF CONTRACT.

2 Sec. 5. EXISTING AND FUTURE GOODS.] (1) The goods which form the sub-
3 ject of a contract to sell may be either existing goods, owned or possessed by
4 the seller, or goods to be manufactured or acquired by the seller after the making
5 of a contract to sell, in this Act called "future goods".

6 (2) There may be a contract to sell goods, the acquisition of which by the
7 seller depends upon a contingency which may or may not happen.

8 (3) Where the parties purport to effect a present sale of future goods, the
9 agreement operates as a contract to sell the goods.

10 Sec. 6. UNDIVIDED SHARES.] (1) There may be a contract to sell or a sale
11 of an undivided share of goods. If the parties intend to effect a present sale,
12 the buyer, by force of the agreement, becomes an owner in common with the
13 owner or owners of the remaining shares.

14 (2) In the case of fungible goods, there may be a sale of an undivided
15 share of a specific mass, though the seller purports to sell and the buyer to
16 buy a definite number, weight or measure of the goods in the mass, and
17 though the number, weight or measure of the goods in the mass is undeter-
18 mined. By such a sale the buyer becomes owner in common of such a share
19 of the mass as the number, weight or measure bought bears to the number,
20 weight or measure of the mass. If the mass contains less than the number,
21 weight or measure bought, the buyer becomes the owner of the whole mass and
22 the seller is bound to make good the deficiency from similar goods unless a con-
23 trary intent appears.

24 Sec. 7. DESTRUCTION OF GOODS SOLD.] (1) Where the parties purport to
25 sell specific goods, and the goods without the knowledge of the seller have
26 wholly perished at the time when the agreement is made, the agreement is
27 void.

28 (2) Where the parties purport to sell specific goods, and the goods with-
29 out the knowledge of the seller have perished in part or have wholly or in a
30 material part so deteriorated, in quality as to be substantially changed in char-

8 acter, the buyer may at his option treat the sale—

9 (a) As avoided, or

10 (b) As transferring the property in all of the existing goods or in so much
11 thereof as have not deteriorated, and as binding the buyer to pay the full
12 agreed price if the sale was indivisible or to pay the agreed price for the
13 goods in which the property passes if the sale was divisible.

Sec. 8. DESTRUCTION OF GOODS CONTRACTED TO BE SOLD.] (1) Where there is a
2 contract to sell specific goods, and subsequently, but before the risk passes to the
3 buyer, without any fault on the part of the seller or the buyer, the goods wholly
4 perish, the contract is thereby avoided.

5 (2) Where there is a contract to sell specific goods, and subsequently, but
6 before the risk passes to the buyer, without any fault of the seller or the buyer,
7 part of the goods perish or the whole or a material part of the goods deter-
8 iorate in quality as to be substantially changed in character, the buyer may at his
9 option treat the contract—

10 (a) As avoided, or

11 (b) As binding the seller to transfer the property in all of the existing
12 goods or in so much thereof as have not deteriorated, and as binding the buyer
13 to pay the full agreed price if the contract was indivisible, or to pay the agreed
14 price for so much of the goods as the seller, by the buyer's option, is bound
15 to transfer if the contract was divisible.

THE PRICE.

Sec. 9. DEFINITION AND ASCERTAINMENT OF PRICE.] (1) The price may be
2 fixed by the contract, or may be left to be fixed in such manner as may be agreed
3 or it may be determined by the course of dealing between the parties.

4 (2) The price may be made payable in any personal property.

5 (3) Where transferring or promising to transfer any interest in real es-
6 tate constitutes the whole or part of the consideration for transferring or for
7 promising to transfer the property in goods, this Act shall not apply.

8 (4) Where the price is not determined in accordance with the foregoing
9 provisions the buyer must pay a reasonable price. What is a reasonable price
10 is a question of fact dependent on the circumstances of each particular case.

Sec. 10. SALE AT A VALUATION.] (1) Where there is a contract to sell or a
2 sale of goods at a price or on terms to be fixed by a third person, and such third
3 person, without fault of the seller or the buyer, cannot or does not fix the price
4 or terms, the contract or the sale is thereby avoided; but if the goods or any
5 part thereof have been delivered to and appropriated by the buyer he must pay
6 a reasonable price therefor.

7 (2) Where such third person is prevented from fixing the price or terms
8 by fault of the seller or the buyer, the party not in fault may have such reme-
9 dies against the party in fault as are allowed by Parts IV and V of this Act.

CONDITIONS AND WARRANTIES.

Sec. 11. EFFECT OF CONDITIONS.] (1) Where the obligation of either
2 party to a contract to sell or a sale is subject to any condition which is not
3 performed, such party may refuse to proceed with the contract or sale or he
4 may waive performance of the condition. If the other party has promised that
5 the condition should happen or be performed, such first-mentioned party may
6 also treat the non-performance of the condition as a breach of warranty.

7 (2) Where the property in the goods has not passed, the buyer may treat
8 the fulfillment by the seller of his obligation to furnish goods as described and
9 as warranted expressly or by implication in the contract to sell as a condition
10 of the obligation of the buyer to perform his promise to accept and pay for
11 the goods.

Sec. 12. DEFINITION OF EXPRESS WARRANTY.] Any affirmation of fact or
2 any promise by the seller relating to the goods is an express warranty if the
3 natural tendency of such affirmation or promise is to induce the buyer to pur-
4 chase the goods, and if the buyer purchases the goods relying thereon. No

5 affirmation of the value of the goods, nor any statement purporting to be a
6 statement of the seller's opinion only shall be construed as a warranty.

Sec. 13. IMPLIED WARRANTIES OF TITLE.] In a contract to sell or a sale, un-
2 less a contrary intention appears, there is—

3 1. An implied warranty on the part of the seller that in case of a sale he has
4 a right to sell the goods, and that in case of a contract to sell he will have a right
5 to sell the goods at the time when the property is to pass.

6 2. An implied warranty that the buyer shall have and enjoy quiet posses-
7 sion of the goods as against any lawful claims existing at the time of the sale.

8 3. An implied warranty that the goods shall be free at the time of the sale
9 from any charge or encumbrance in favor of any third person, not declared or
10 known to the buyer before or at the time when the contract or sale is made.

11 4. This section shall not, however, be held to render liable a sheriff, auc-
12 tioneer, mortgagee, or other person professing to sell by virtue of authority in
13 fact or law goods in which a third person has a legal or equitable interest.

Sec. 14. IMPLIED WARRANTY IN SALE BY DESCRIPTION.] Where there is a con-
2 tract to sell or a sale of goods by description, there is an implied warranty
3 that the goods shall correspond with the description and if the contract or sale
4 be by sample, as well as by description, it is not sufficient that the bulk of the
5 goods corresponds with the sample if the goods do not also correspond with the
6 description.

Sec. 15. IMPLIED WARRANTIES OF QUALITY.] Subject to the provisions of this
2 Act and of any statute in that behalf, there is no implied warranty or condi-
3 tion as to the quality or fitness for any particular purpose of goods supplied
4 under a contract to sell or a sale, except as follows:

5 (1) Where the buyer, expressly or by implication, makes known to the seller
6 the particular purpose for which the goods are required, and it appears that
7 the buyer relies on the seller's skill or judgment (whether he be the grower

8 or manufacturer or not), there is as implied warranty that the goods shall
9 be reasonably fit for such purpose.

10 (2) Where the goods are bought by description from a seller who deals in
11 goods of that description (whether he be the grower or manufacturer or not),
12 there is an implied warranty that the goods shall be of merchantable quality.

13 (3) If the buyer has examined the goods, there is no implied warranty as
14 regards defects which such examination ought to have revealed.

15 (4) In the case of a contract to sell or a sale of a specified article under its
16 patent or other trade name, there is no implied warranty as to its fitness for any
17 particular purpose.

18 (5) An implied warranty or condition as to quality or fitness for a particu-
19 lar purpose may be annexed by the usages of trade.

20 (6) An express warranty or condition does not negative a warranty or
21 condition implied under this Act unless inconsistent therewith.

SALE BY SAMPLE.

Sec. 16. IMPLIED WARRANTIES IN SALE BY SAMPLE.] In the case of a contract
2 to sell or a sale by sample:

3 (a) There is an implied warranty that the bulk shall correspond with the
4 sample in quality.

5 (b) There is an implied warranty that the buyer shall have a reasonable
6 opportunity of comparing the bulk with the sample, except so far as otherwise
7 provided in section 47 (3).

8 (c) If the seller is a dealer in goods of that kind, there is an implied war-
9 ranty that the goods shall be free from any defect rendering them unmerchant-
10 able which would not be apparent on reasonable examination of the sample.

PART II.

TRANSFER OF PROPERTY AS BETWEEN SELLER AND BUYER.

Sec. 17. NO PROPERTY PASSES UNTIL GOODS ARE ASCERTAINED.] Where there is
2 a contract to sell unascertained goods no property in the goods is transferred

3 to the buyer unless and until the goods are ascertained, but property in an un-
4 divided share of ascertained goods may be transferred as provided in section 6.

Sec. 18. PROPERTY IN SPECIFIC GOODS PASSES WHEN PARTIES SO INTEND.] (1)

2 Where there is a contract to sell specific or ascertained goods, the property in
3 them is transferred to the buyer at such time as the parties to the contract
4 intend it to be transferred.

5 (2) For the purpose of ascertaining the intention of the parties, regard shall
6 be had to the terms of the contract, the conduct of the parties, usages of trade
7 and the circumstances of the case.

Sec. 19. RULES FOR ASCERTAINING INTENTION.] Unless a different intention
2 appears, the following are rules for ascertaining the intention of the parties
3 as to the time at which the property in the goods is to pass to the buyer.

4 Rule 1. Where there is an unconditional contract to sell specific goods, in
5 a deliverable state, the property in the goods passes to the buyer when the
6 contract is made, and it is immaterial whether the time of payment, or the time
7 of delivery, or both, be postponed.

8 Rule 2. Where there is a contract to sell specific goods and the seller is
9 bound to do something to the goods, for the purpose of putting them into a de-
10 liverable state, the property does not pass until such thing be done.

11 Rule 3. (1) When goods are delivered to the buyer "on sale or return,"
12 or on other terms indicating an intention to make a present sale, but to give the
13 buyer an option to return the goods instead of paying the price, the property
14 passes to the buyer on delivery, but he may revest the property in the seller by
15 returning or tendering the goods within the time fixed in the contract, or, if
16 no time has been fixed, within a reasonable time.

17 (2) When goods are delivered to the buyer on approval or on trial or on
18 satisfaction, or other similar terms, the property therein passes to the buyer—

19 (a) When he signifies his approval or acceptance to the seller or does any
20 other act adopting the transaction:

21 (b) If he does not signify his approval or acceptance to the seller, but
22 retains the goods without giving notice of rejection, then, if a time has been
23 fixed for the return of the goods, on the expiration of such time, and, if no time
24 has been fixed, on the expiration of a reasonable time. What is a reasonable
25 time is a question of fact.

26 Rule 4. (1) Where there is a contract to sell unascertained or future
27 goods by description, and goods of that description and in a deliverable state
28 are unconditionally appropriated to the contract, either by the seller with the
29 assent of the buyer, or by the buyer with the assent of the seller, the property
30 in the goods thereupon passes to the buyer. Such assent may be expressed or
31 implied, and may be given either before or after the appropriation is made.

32 (2) Where, in pursuance of a contract to sell, the seller delivers the goods
33 to the buyer, or to a carrier or other bailee (whether named by the buyer or not)
34 for the purpose of transmission to or holding for the buyer, he is presumed
35 to have unconditionally appropriated the goods to the contract, except in the cases
36 provided for in the next rule and in section 20. This presumption is applicable,
37 although by the terms of the contract, the buyer is to pay the price before receiv-
38 ing delivery of the goods, and the goods are marked with the words "collect on
39 delivery" or their equivalents.

40 Rule 5. If the contract to sell requires the seller to deliver the goods to
41 the buyer, or at a particular place, or to pay the freight or cost of transporta-
42 tion to the buyer, or to a particular place, the property does not pass until the
43 goods have been delivered to the buyer or reached the place agreed upon.

Sec. 20. RESERVATION OF RIGHT OF POSSESSION OR PROPERTY WHEN GOODS ARE

2 SHIPPED.] (1) Where there is a contract to sell specific goods, or where goods
3 are subsequently appropriated to the contract, the seller may, by the terms
4 of the contract or appropriation, reserve the right of possession or property
5 in the goods until certain conditions have been fulfilled. The right of possession
6 or property may be thus reserved notwithstanding the delivery of the goods to

7 the buyer or to a carrier or other bailee for the purpose of transmission to the
8 buyer.

9 (2) Where goods are shipped, and by the bill of lading the goods are de-
10 liverable to the seller or his agent, or to the order of the seller or of his agent, the
11 seller thereby reserves the property in the goods. But if, except for the form of
12 the bill of lading, the property would have passed to the buyer on shipment
13 of the goods, the seller's property in the goods shall be deemed to be only
14 for the purpose of securing performance by the buyer of his obligations under
15 the contract.

16 (3) Where goods are shipped, and by the bill of lading the goods are de-
17 liverable to the order of the buyer or of his agent, but possession of the bill
18 of lading is retained by the seller or his agent, the seller thereby reserves a right
19 to the possession of the goods as against the buyer.

20 (4) Where the seller of goods draws on the buyer for the price and trans-
21 mits the bill of exchange and bill of lading together to the buyer to secure
22 acceptance or payment of the bill of exchange, the buyer is bound to return
23 the bill of lading if he does not honor the bill of exchange, and if he wrong-
24 fully retains the bill of lading he acquires no added right thereby. If, how-
25 ever, the bill of lading provides that the goods are deliverable to the buyer
26 or to the order of the buyer, or is indorsed in blank, or to the buyer by the
27 consignee named therein, one who purchases in good faith, for value, the bill of
28 lading, or goods from the buyer will obtain the property in the goods, although
29 the bill of exchange has not been honored, provided that such purchaser has
30 received delivery of the bill of lading indorsed by the consignee named therein,
31 or of the goods, without notice of the facts making the transfer wrongful.

Sec. 21. SALE BY AUCTION.] In the case of sale by auction—

2 (1) Where goods are put up for sale by auction in lots, each lot is the
3 subject of a separate contract of sale.

4 (2) A sale by auction is complete when the auctioneer announces its com-
5 pletion by the fall of the hammer, or in other customary manner. Until such

6 announcement is made, any bidder may retract his bid; and the auctioneer may
7 withdraw the goods from sale unless the auction has been announced to be
8 without reserve.

9 (3) A right to bid may be reserved expressly by or on behalf of the seller.

10 (4) Where notice has not been given that a sale by auction is subject to a
11 right to bid on behalf of the seller, it shall not be lawful for the seller to bid
12 himself or to employ or induce any person to bid at such sale on his behalf, or
13 for the auctioneer to employ or induce any person to bid at such sale on behalf
14 of the seller or knowingly to take any bid from the seller or any person em-
15 ployed by him. Any sale contravening this rule may be treated as fraudu-
16 lent by the buyer.

Sec. 22. RISK OF LOSS.] Unless otherwise agreed, the goods remain at the
2 seller's risk until the property therein is transferred to the buyer, but when
3 the property therein is transferred to the buyer the goods are at the buyer's
4 risk whether delivery has been made or not, except that—

5 (a) Where delivery of the goods has been made to the buyer, or to a
6 bailee for the buyer, in pursuance of the contract and the property in the goods
7 has been retained by the seller merely to secure performance by the buyer of
8 his obligations under the contract, the goods are at the buyer's risk from the
9 time of such delivery.

10 (b) Where delivery has been delayed through the fault of either buyer or
11 seller the goods are at the risk of the party in fault as regards any loss which
12 might not have occurred but for such fault.

TRANSFER OF TITLE.

Sec. 23. SALE BY A PERSON NOT THE OWNER.] (1) Subject to the provisions
2 of this Act, where goods are sold by a person who is not the owner thereof,
3 and who does not sell them under the authority or with the consent of the own-
4 er, the buyer acquires no better title to the goods than the seller had, unless
5 the owner of the goods is by his conduct precluded from denying the seller's
6 authority to sell.

(2) Nothing in this Act, however, shall affect

(a) The provisions of any factors' acts, recording acts, or any enactment enabling the apparent owner of goods to dispose of them as if he were the true owner thereof.

(b) The validity of any contract to sell or sale under any special common law or statutory power of sale or under the order of a court of competent jurisdiction.

Sec. 24. SALE BY ONE HAVING A VOIDABLE TITLE.] Where the seller of goods

has a voidable title thereto, but his title has not been avoided at the time of the sale, the buyer acquires a good title to the goods, provided he buys them in good faith, for value, and without notice of the seller's defect of title.

Sec. 25. SALE BY SELLER IN POSSESSION OF GOODS ALREADY SOLD.] Where a

person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, the delivery or transfer by that person, or by an agent acting for him, of the goods or documents of title under any sale, pledge, or other disposition thereof, to any person receiving and paying value for the same in good faith and without notice of the previous sale, shall have the same effect as if the person making the delivery or transfer were expressly authorized by the owner of the goods to make the same.

Sec. 26. CREDITORS' RIGHTS AGAINST SOLD GOODS IN SELLER'S POSSESSION.]

Where a person having sold goods continues in possession of the goods, or of negotiable documents of title to the goods, and such retention of possession is fraudulent in fact or is deemed fraudulent under any rule of law, a creditor or creditors of the seller may treat the sale as void.

Sec. 27. DEFINITION OF NEGOTIABLE DOCUMENT OF TITLE.] A document of

title in which it is stated that the goods referred to therein will be delivered to the bearer, or to the order of any person named in such document is a negotiable document of title.

Sec. 28. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY DELIVERY.] A negotiable

document of title may be negotiated by delivery.

(a) Where by the terms of the document the carrier, warehouseman or other bailee issuing the same undertakes to deliver the goods to the bearer or

(b) whereby the terms of the document, the carrier, warehouseman or other bailee issuing the same undertakes to deliver the goods to the order of a specified person, and such person or a subsequent indorsee of the document has indorsed it in blank or to bearer.

Where by the terms of a negotiable document of title the goods are deliverable to bearer or where a negotiable document of title has been indorsed in blank or to bearer, any holder may indorse the same to himself or to any other specified person, and in such case the document shall thereafter be negotiated only by the indorsement of such indorsee.

Sec. 29. NEGOTIATION OF NEGOTIABLE DOCUMENTS BY INDORSEMENT.] A ne-

gotiable document of title may be negotiated by the indorsement of the person to whose order the goods are by the terms of the document deliverable. Such indorsement may be in blank, to bearer or to a specified person. If indorsed to a specified person, it may be again negotiated by the indorsement of such person in blank, to bearer or to another specified person. Subsequent negotiation may be made in like manner—

Sec. 30. NEGOTIABLE DOCUMENTS OF TITLE MARKED “NOT NEGOTIABLE.”] If a

document of title which contains an undertaking by a carrier, warehouseman or other bailee to deliver the goods to the bearer, to a specified person or order, or to the order of a specified person, or which contains words of like import, has placed upon it the words, “not negotiable,” “non-negotiable” or the like, such a document may nevertheless be negotiated by the holder and is a negotiable document of title within the meaning of this Act. But nothing in this Act contained shall be construed as limiting or defining the effect upon the obligations of the carrier, warehouseman, or other bailee

9 issuing a document of title of placing thereon the words “not negotiable”
10 “non-negotiable,” or the like.

Sec. 31. TRANSFER OF NON-NEGOTIABLE DOCUMENTS.] A document of title
2 which is not in such form that it can be negotiated by delivery may be trans-
3 ferred by the holder by delivery to a purchaser or donee. A non-negotiable
4 receipt cannot be negotiated and the indorsement of such a receipt gives the
5 transferee no additional right.

Sec. 32. WHO MAY NEGOTIATE A DOCUMENT.] A negotiable document of title
2 may be negotiated—

3 (a) By the owner thereof, or

4 (b) By any person to whom the possession or custody of the document
5 has been entrusted by the owner, if, by the terms of the document the bailee
6 issuing the document undertakes to deliver the goods to the order of the per-
7 son to whom the possession or custody of the document has been entrusted,
8 or if at the time of such entrusting the document is in such form that it may
9 be negotiated by delivery.

Sec. 33. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN NEGOTIATED.] A
2 person to whom a negotiable document of title has been duly negotiated
3 acquires thereby.

4 (a) Such title to the goods as the person negotiating the document to him
5 had or had ability to convey to a purchaser in good faith for value and also
6 such title to the goods as the person to whose order the goods were to be
7 delivered by the terms of the document had or had ability to convey to a pur-
8 chaser in good faith for value, and

9 (b) The direct obligation of the bailee issuing the document to hold pos-
10 session of the goods for him according to the terms of the document as fully
11 as if such bailee had contracted directly with him.

Sec. 34. RIGHTS OF PERSON TO WHOM DOCUMENT HAS BEEN TRANSFERRED.] A
2 person to whom a document of title has been transferred, but not negotiated,

3 acquires thereby, as against the transferor, the title to the goods, subject to
4 the terms of any agreement with the transferor.

5 If the document is non-negotiable, such person also acquires the right to
6 notify the bailee who issued the document of the transfer thereof, and thereby
7 to acquire the direct obligation of such bailee to hold possession of the goods
8 for him according to the terms of the document.

9 Prior to the notification of such bailee by the transferor or transferee of a
10 non-negotiable document of title, the title of the transferee to the goods and
11 the right to acquire the obligation of such bailee may be defeated by the levy
12 of an attachment or execution upon the goods by a creditor of the transferor,
13 or by a notification to such bailee by the transferor or a subsequent purchaser
14 from the transferor of a subsequent sale of the goods by the transferor.

Sec. 35. TRANSFER OF NEGOTIABLE DOCUMENT WITHOUT INDORSEMENT.] Where
2 a negotiable document of title is transferred for value by delivery, and the
3 indorsement of the transferor is essential for negotiation, the transferee ac-
4 quires a right against the transferor to compel him to indorse the document
5 unless a contrary intention appears. The negotiation shall take effect as of the
6 time when the indorsement is actually made.

Sec. 36. WARRANTIES ON SALE OF DOCUMENT.] A person who for value nego-
2 tiates or transfers a document of title by indorsement or delivery, including one
3 who assigns for value a claim secured by a document of title unless a con-
4 trary intention appears, warrants:

5 (a) That the document is genuine.

6 (b) That he has a legal right to negotiate or transfer it.

7 (c) That he has knowledge of no fact which would impair the validity
8 or worth of the document, and

9 (d) That he has a right to transfer the title to the goods and that the
10 goods are merchantable or fit for a particular purpose, whenever such warran-

11 ties would have been implied if the contract of the parties had been to transfer
12 without a document of title the goods represented thereby.

Sec. 37. INDORSER NOT A GUARANTOR.] The indorsement of a document of
2 title shall not make the indorser liable for any failure on the part of the bailee
3 who issued the document or previous indorsers thereof to fulfill their respec-
4 tive obligations.

Sec. 38. WHEN NEGOTIATION NOT IMPAIRED BY FRAUD, MISTAKE OR DURESS.]
2 The validity of the negotiation of a negotiable document of title is not impaired
3 by the fact that the negotiation was a breach of duty on the part of the person
4 making the negotiation, or by the fact that the owner of the document was in-
5 duced by fraud, mistake or duress to entrust the possession or custody thereof
6 to such person, if the person to whom the document was negotiated or a person
7 to whom the document was subsequently negotiated paid value therefor, with-
8 out notice of the breach of duty, or fraud, mistake or duress.

Sec. 39. ATTACHMENT OR LEVY UPON GOODS FOR WHICH A NEGOTIABLE DOCU-
2 MENT HAS BEEN ISSUED.] If goods are delivered to a bailee by the owner or by
3 a person whose act in conveying the title to them to a purchaser in good faith
4 for value would bind the owner and a negotiable document of title is issued for
5 them they cannot thereafter, while in the possession of such bailee, be attached
6 by garnishment or otherwise or be levied upon under an execution unless the
7 document be first surrendered to the bailee or its negotiation enjoined. The
8 bailee shall in no case be compelled to deliver up the actual possession of the
9 goods until the document is surrendered to him or impounded by the court.

Sec. 40. CREDITORS' REMEDIES TO REACH NEGOTIABLE DOCUMENTS.] A creditor
2 whose debtor is the owner of a negotiable document of title shall be entitled to
3 such aid from courts of appropriate jurisdiction by injunction and otherwise
4 in attaching such document or in satisfying the claim by means thereof as is
5 allowed at law or in equity in regard to property which cannot readily be at-
6 tached or levied upon by ordinary legal process.

PART III.

PERFORMANCE OF THE CONTRACT.

Sec. 41. SELLER MUST DELIVER AND BUYER ACCEPT GOODS.] It is the duty of

2 the seller to deliver the goods, and of the buyer to accept and pay for them,
3 in accordance with the terms of the contract to sell or sale.

Sec. 42. DELIVERY AND PAYMENT ARE CONCURRENT CONDITIONS.] Unless

2 otherwise agreed, delivery of the goods and payment of the price are concurrent
3 conditions; that is to say, the seller must be ready and willing to give posses-
4 sion of the goods to the buyer in exchange for the price and the buyer must
5 be ready and willing to pay the price in exchange for possession of the goods.

Sec. 43. PLACE, TIME AND MANNER OF DELIVERY.] (1) Whether it is for

2 the buyer to take possession of the goods or for the seller to send them to the
3 buyer is a question depending in each case on the contract, express or implied,
4 between the parties. Apart from any such contract, express or implied, or
5 usage of trade to the contrary, the place of delivery is the seller's place of
6 business if he have one, and if not his residence; but in case of a contract to
7 sell or a sale of specific goods, which to the knowledge of the parties when
8 the contract or the sale was made were in some other place, then that place is
9 the place of delivery.

10 (2) Where by a contract to sell or a sale the seller is bound to send the
11 goods to the buyer, but no time for sending them is fixed, the seller is bound
12 to send them within a reasonable time.

13 (3) Where the goods at the time of sale are in the possession of a third
14 person, the seller has not fulfilled his obligation to deliver to the buyer unless and
15 until such third person acknowledges to the buyer that he holds the goods on
16 the buyer's behalf; but as against all others than the seller the buyer shall
17 be regarded as having received delivery from the time when such third person
18 first has notice of the sale. Nothing in this section, however, shall affect the
19 operation of the issue or transfer of any document of title to goods.

20 (4) Demand or tender of delivery may be treated as ineffectual unless made
21 at a reasonable hour. What is a reasonable hour is a question of fact.

22 (5) Unless otherwise agreed, the expenses of and incidental to putting the
23 goods into a deliverable state must be borne by the seller.

Sec. 44. DELIVERY OF WRONG QUANTITY.] (1) Where the seller delivers to
2 the buyer a quantity of goods less than he contracted to sell, the buyer may
3 reject them, but if the buyer accepts or retains the goods so delivered, knowing
4 that the seller is not going to perform the contract in full, he must pay for them
5 at the contract rate. If, however, the buyer has used or disposed of the goods
6 delivered before he knows that the seller is not going to perform his contract in
7 full, the buyer shall not be liable for more than the fair value to him of the goods
8 so received.

9 (2) Where the seller delivers to the buyer a quantity of goods larger than
10 he contracted to sell, the buyer may accept the goods included in the contract and
11 reject the rest, or he may reject the whole. If the buyer accepts the whole of the
12 goods so delivered he must pay for them at the contract rate.

13 (3) Where the seller delivers to the buyer the goods he contracted to sell
14 mixed with goods of a different description not included in the contract, the buyer
15 may accept the goods which are in accordance with the contract and reject the
16 rest, or he may reject the whole.

17 (4) The provisions of this section are subject to any usage of trade, special
18 agreement, or course of dealing between parties.

Sec. 45. DELIVERY IN INSTALLMENT.] (1) Unless otherwise agreed, the
2 buyer of goods is not bound to accept delivery thereof by installments.

3 (2) Where there is a contract to sell goods to be delivered by stated install-
4 ments, which are to be separately paid for, and the seller makes defective de-
5 liveries in respect of one or more installments, or the buyer neglects or refuses
6 to take delivery of or pay for one or more installments, it depends in each case
7 on the terms of the contract and the circumstances of the case, whether the

breach of contract is so material as to justify the injured party in refusing to proceed further and suing for damages for breach of the entire contract, or whether the breach is severable, giving rise to a claim for compensation, but not to a right to treat the whole contract as broken.

Sec. 46. DELIVERY TO A CARRIER ON BEHALF OF THE BUYER.] (1) Where, in

pursuance of a contract to sell or a sale, the seller is authorized or required to send the goods to the buyer, delivery of the goods to a carrier, whether named by the buyer or not, for the purpose of transmission to the buyer is deemed to be a delivery of the goods to the buyer, except in the cases provided for in section 19, rule 5, or unless a contrary intent appears.

(2) Unless otherwise authorized by the buyer, the seller must make such contract with the carrier on behalf the buyer as may be reasonable, having regard to the nature of the goods and the other circumstances of the case. If the seller omit so to do, and the goods are lost or damaged in course of transit, the buyer may decline to treat the delivery to the carrier as a delivery to himself, or may hold the seller responsible in damages.

(3) Unless otherwise agreed, where goods are sent by the seller to the buyer under circumstances in which the seller knows or ought to know that it is usual to insure, the seller must give such notice to the buyer as may enable him to insure them during their transit, and, if the seller fails to do so, the goods shall be deemed to be at his risk during such transit.

Sec. 47. RIGHT TO EXAMINE THE GOODS.] (1.) Where goods are delivered

to the buyer, which he has not previously examined, he is not deemed to have accepted them unless and until he has had a reasonable opportunity of examining them for the purpose of ascertaining whether they are in conformity with the contract.

(2) Unless otherwise agreed, when the seller tenders delivery of goods to the buyer, he is bound, on request, to afford the buyer a reasonable opportunity of

8 examining the goods for the purpose of ascertaining whether they are in conform-
9 ity with the contract.

10 (3) Where goods are delivered to a carrier by the seller, in accordance
11 with an order from or agreement with the buyer, upon the terms that the goods
12 shall not be delivered by the carrier to the buyer until he has paid the price,
13 whether such terms are indicated by marking the goods with the words "collect
14 on delivery," or otherwise, the buyer is not entitled to examine the goods before
15 payment of the price in the absence of agreement permitting such examination.

Sec. 48. WHAT CONSTITUTES ACCEPTANCE.] The buyer is deemed to have
2 accepted the goods when he intimates to the seller that he has accepted them,
3 or when the goods have been delivered to him, and he does any act in relation
4 to them which is inconsistent with the ownership of the seller, or when, after
5 the lapse of a reasonable time, he retains the goods without intimating to the
6 seller that he has rejected them.

Sec. 49. ACCEPTANCE DOES NOT BAR ACTION FOR DAMAGES.] In the absence
2 of express or implied agreement of the parties, acceptance of the goods by the
3 buyer shall not discharge the seller from liability in damages or other legal
4 remedy for breach of any promise or warranty in the contract to sell or the
5 sale. But, if, after acceptance of the goods, the buyer fail to give notice to
6 the seller of the breach of any promise or warranty within a reasonable time
7 after the buyer knows, or ought to know of such breach, the seller shall not
8 be liable therefor.

Sec. 50. BUYER IS NOT BOUND TO RETURN GOODS WRONGLY DELIVERED.] Unless
2 otherwise agreed, where goods are delivered to the buyer, and he refuses to
3 accept them, having the right so to do, he is not bound to return them to
4 the seller, but it is sufficient if he notifies the seller that he refuses to accept
5 them.

Sec. 51. BUYER'S LIABILITY FOR FAILING TO ACCEPT DELIVERY.] When the
2 seller is ready and willing to deliver the goods, and requests the buyer to take
3 delivery, and the buyer does not within a reasonable time after such request
4 take delivery of the goods, he is liable to the seller for any loss occasioned
5 by his neglect or refusal to take delivery, and also for a reasonable charge for
6 the care and custody of the goods. If the neglect or refusal of the buyer to take
7 delivery amounts to a repudiation or breach of the entire contract, the seller
8 shall have the rights against the goods and on the contract hereinafter pro-
9 vided in favor of the seller when the buyer is in default.

PART IV.

RIGHTS OF UNPAID SELLER AGAINST THE GOODS.

Sec. 52. DEFINITION OF UNPAID SELLER.] (1) The seller of goods is deemed
2 to be an unpaid seller within the meaning of this Act—

3 (a) When the whole of the price has not been paid or tendered.

4 (b) When a bill of exchange or other negotiable instrument has been re-
5 ceived as conditional payment, and the condition on which it was received has
6 been broken by reason of the dishonor of the instrument, the insolvency of the
7 buyer, or otherwise.

8 (2) In this part of this Act the term "seller" includes an agent of the
9 seller to whom the bill of lading has been indorsed, or a consignor or agent who
10 has himself paid, or is directly responsible for, the price, or any other person
11 who is in the position of a seller.

Sec. 53. REMEDIES OF AN UNPAID SELLER.] (1) Subject to the provisions of
2 this Act, notwithstanding that the property in the goods may have passed to
3 the buyer, the unpaid seller of goods, as such, has

4 (a) A lien on the goods or the right to retain them for the price while he is
5 in possession of them.

6 (b) In case of the insolvency of the buyer, a right of stopping the goods
7 *in transitu* after he has parted with the possession of them.

8 (c) A right of resale as limited by this Act.

9 (d) A right to rescind the sale as limited by this Act.

10 (2) Where the property in goods has not passed to the buyer, the un-
 11 paid seller has, in addition to his other remedies, a right of withholding delivery
 12 similar to and coextensive with his rights of lien and stoppage "*in transitu*"
 13 where the property has passed to buyer.

UNPAID SELLER'S LIEN.

Sec. 54. WHEN RIGHT OF LIEN MAY BE EXERCISED.] (1) Subject to the pro-
 2 visions of this Act, the unpaid seller of goods who is in possession of them is
 3 entitled to retain possession of them until payment or tender of the price in
 4 the following cases, namely:

5 (a) Where the goods have been sold without any stipulation as to credit.

6 (b) Where the goods have been sold on credit, but the term of credit
 7 has expired.

8 (c) Where the buyer becomes insolvent.

9 (2) The seller may exercise his right of lien notwithstanding that he is
 10 in possession of the goods as agent or bailee for the buyer.

Sec. 55. LIEN AFTER PART DELIVERY.] Where an unpaid seller has made
 2 part delivery of the goods, he may exercise his right of lien on the remainder,
 3 unless such part delivery has been made under such circumstances as to show
 4 an intent to waive the lien or right of retention.

Sec. 56. WHEN LIEN IS LOST.] (1) The unpaid seller of goods loses his lien
 2 thereon—

3 (a) When he delivers the goods to a carrier or other bailee for the purpose
 3½ of transmission to the buyer without reserving the property in the goods or the
 4 right to the possession thereof.

5 (b) When the buyer or his agent lawfully obtains possession of the goods.

6 (c) By waiver thereof.

7 (2) The unpaid seller of goods, having a lien thereon, does not lose his
 8 lien by reason only that he has obtained judgment or decree for the price of the
 9 goods.

STOPPAGE IN TRANSITU.

Sec. 57. SELLER MAY STOP GOODS ON BUYER'S INSOLVENCY.] Subject to the

provisions of this Act, when the buyer of goods is or becomes insolvent, the unpaid seller who has parted with the possession of the goods has the right of stopping them *in transitu*, that is to say, he may resume possession of the goods at any time while they are in transit, and he will then become entitled to the same rights in regard to the goods as he would have had if he had never parted with the possession.

Sec. 58. WHEN GOODS ARE IN TRANSIT.] (1) Goods are in transit within the meaning of section 57—

(a) From the time when they are delivered to a carrier by land or water, or other bailee for the purpose of transmission to the buyer, until the buyer, or his agent in that behalf, takes delivery of them from such carrier or other bailee;

(b) If the goods are rejected by the buyer, and the carrier or other bailee continues in possession of them, even if the seller has refused to receive them back.

(2) Goods are no longer in transit within the meaning of section 57—

(a) If the buyer, or his agent in that behalf, obtains delivery of the goods before their arrival at the appointed destination;

(b) If, after the arrival of the goods at the appointed destination, the carrier or other bailee acknowledges to the buyer or his agent that he holds the goods on his behalf and continues in possession of them as bailee for the buyer or his agent; and it is immaterial that a further destination for the goods may have been indicated by the buyer;

(c) If the carrier or other bailee wrongfully refuses to deliver the goods to the buyer or his agent in that behalf.

(3) If goods are delivered to a ship chartered by the buyer, it is a question depending on the circumstances of the particular case, whether they are in the possession of the master as a carrier or as agent of the buyer.

23 (4) If part delivery of the goods has been made to the buyer, or his agent
 24 in that behalf, the remainder of the goods may be stopped *in transitu*, unless
 25 such part delivery has been made under such circumstances as to show an agree-
 26 ment with the buyer to give up possession of the whole of the goods.

Sec. 59. WAYS OF EXERCISING THE RIGHT TO STOP.] (1) The unpaid seller
 2 may exercise his right of stoppage *in transitu* either by obtaining actual posses-
 3 sion of the goods or by giving notice of his claim to the carrier or other bailee in
 4 whose possession the goods are. Such notice may be given either to the person
 5 in actual possession of the goods or to his principal. In the latter case the no-
 6 tice, to be effectual, must be given at such time and under such circumstances
 7 that the principal, by the exercise of reasonable diligence, may prevent a delivery
 8 to the buyer.

9 (2) When notice of stoppage *in transitu* is given by the seller to the carrier,
 10 or other bailee in possession of the goods, he must redeliver the goods to, or
 11 according to the directions of, the seller. The expenses of such redelivery must
 12 be borne by the seller. If, however, a negotiable document of title representing
 13 the goods has been issued by the carrier or other bailee, he shall not be obliged to
 14 deliver or justified in delivering the goods to the seller unless such document is
 15 first surrendered for cancellation.

RESALE BY THE SELLER.

Sec. 60. WHEN AND HOW RESALE MAY BE MADE.] (1) Where the goods are of
 2 a perishable nature, or where the seller expressly reserves the right of resale
 3 in case the buyer should make default, or where the buyer has been in default
 4 in the payment of the price an unreasonable time, an unpaid seller having a
 5 right of lien or having stopped the goods *in transitu* may resell the goods. He
 6 shall not thereafter be liable to the original buyer upon the contract to sell or
 7 the sale or for any profit made by such resale, but may recover from the buyer
 8 damages for any loss occasioned by the breach of the contract or the sale.

9 (2) Where a resale is made, as authorized in this section, the buyer ac-
 10 quires a good title as against the original buyer.

11 (3) It is not essential to the validity of a resale that notice of an intention
12 to resell the goods be given by the seller to the original buyer. But where the
13 right to resell is not based on the perishable nature of the goods or upon an ex-
14 press provision of the contract or the sale, the giving or failure to give such
15 notice shall be relevant in any issue involving the question whether the buyer had
16 been in default an unreasonable time before the resale was made.

17 (4) It is not essential to the validity of a resale that notice of the time
18 and place of such resale should be given by the seller to the original buyer.

19 (5) The seller is bound to exercise reasonable care and judgment in mak-
20 ing a resale, and subject to this requirement may make a resale either by pub-
21 lic or private sale.

RESCISSION BY THE SELLER.

Sec. 61. WHEN AND HOW THE SELLER MAY RESCIND THE SALE.] (1) An unpaid

2 seller having a right of lien or having stopped the goods *in transitu*, may res-
3 cind the transfer of title and resume the property in the goods, where he ex-
4 pressly reserved the right to do so in case the buyer should make default, or
5 where the buyer has been in default in the payment of the price an unreason-
6 able time. The seller shall not thereafter be liable to the buyer upon the con-
7 tract to sell or the sale, but may recover from the buyer damages for any loss
8 occasioned by the breach of the contract or the sale.

9 (2) The transfer of title shall not be held to have been rescinded by an
10 unpaid seller until he has manifested by notice to the buyer or by some other
11 overt act an intention to rescind. It is not necessary that such overt act
12 should be communicated to the buyer, but the giving or failure to give notice
13 to the buyer of the intention to rescind shall be relevant in any issue involving
14 the question whether the buyer had been in default an unreasonable time
15 before the right of rescission was asserted.

16 This section is not contained in the English Act, and the remedy for which
17 the section provides is not allowed by English law. It is allowed in this coun-

18 try, and seems fully justified by mercantile custom and convenience. Mechem,
19 § 1681, 1682; Burdick, p. 243.

Sec. 62. EFFECT OF SALE OF GOODS SUBJECT TO LIEN OR STOPPAGE IN TRANSITU.]

2 Subect to the provisions of this Act, the unpaid seller's right of lien or stoppage
3 *intransitu* is not affected by any sale, or other disposition of the goods which
4 the buyer may have made, unless the seller has assented thereto.

5 If, however, a negotiable documen of title has been issued for goods, no
6 seller's lien or right of stoppage *in transitu* shall defeat the right of any pur-
7 chaser for value in good faith to whom such document has been negotiated,
8 whether such negotiation be prior or subsequent to the notification to the car-
9 rier or other bailee who issued such document, of the seller's claim to a lien or
10 right of stoppage *in transitu*.

PART V.

ACTIONS FOR BREACE OF THE CONTRACT.

Remedies of the Seller.

Sec. 63. ACTION FOR THE PRICE.] (1) Where, under a contract to sell or a
2 sale, the property in the goods has passed to the buyer, and the buyer wrong-
3 fully neglects or refuses to pay for he goods according to the terms of the con-
4 tract or the sale, the seller may maintain an action against him for the price of
5 the goods.

6 (2) Where, under a contract to sell or a sale, the price is payable on a day
7 certain, irrespective of delivery or of transfer of title, and the buyer wrong-
8 fully neglects or refuses to pay such price, the seller may maintain an action for
9 the price, although the property in th goods has not passed, and the goods have
10 not been appropriated to the contract. But it shall be a defense to such an ac-
11 tion that the seller at any time before judgment in such action has manifested an
12 inability to perform the contract or he sale on his part or an intention not to
13 perform it.

14 (3) Although the property in the goods has not passed, if they cannot read-
 15 ily be resold for a reasonable price, and if the provisions of section 64 (4) are
 16 not applicable, the seller may offer to deliver the goods to the buyer, and, if the
 17 buyer refuses to receive them, may notify the buyer that the goods are there-
 18 after held by the seller as bailee for the buyer. Thereafter the seller may treat
 19 the goods as the buyer's and may maintain an action for the price.

Sec. 64. ACTION FOR DAMAGES FOR NON-ACCEPTANCE OF THE GOODS.] (1)

2 Where the buyer wrongfully neglects or refuses to accept and pay for the goods,
 3 the seller may maintain an action against him for damages for non-acceptance.

4 (2) The measure of damages is the estimated loss directly and naturally
 5 resulting, in the ordinary course of events, from the buyer's breach of contract.

6 (2) Where, under a contract to sell or a sale, the price is payable on a day
 7 certain, irrespective of delivery or of transfer of title, and the buyer wrong-
 8 fully neglects or refuses to pay such price, the seller may maintain an action for
 9 the price, although the property in the goods has not passed, and the goods
 10 have not been appropriated to the contract. But it shall be a defense to such an
 11 action that the seller at any time before judgment in such action has mani-
 12 fested an inability to perform the contract or the sale on his part or an intention
 13 not to perform it.

14 (3) Although the property in th goods has not passed, if they cannot read-
 15 ily be resold for a reasonable price, and if the provisions of section 64 (4) are
 16 not applicable, the seller may offer to deliver the goods to the buyer, and, if the
 17 buyer refuses to receive them, may notify the buyer that the goods are thereafter
 18 held by the seller as bailee for the buyer. Thereafter the seller may treat the
 19 goods as the buyer's and may maintain an action for the price.

Sec. 65. WHEN SELLER MAY RESCIND CONTRACT OR SALE.] Where the goods

2 have not been delivered to the buyer, and the buyer has repudiated the contract
 3 to sell or sale, or has manifested his inability to perform his obligations there-
 4 under, or has committed a material breach thereof, the seller may totally res-

5 and the contract or the sale by giving notice of his election so to do to the
6 buyer.

REMEDIES OF THE BUYER.

Sec. 66. ACTION FOR CONVERTING OR DETAINING GOODS.] Where the property
2 in the goods has passed to the buyer and the seller wrongfully neglects or re-
3 fuses to deliver the goods, the buyer may maintain any action allowed by law
4 to the owner of goods of similar kind when wrongfully converted or withheld.

Sec. 67. ACTION FOR FAILING TO DELIVER GOODS.] (1) Where the property
2 in the goods has not passed to the buyer, and the seller wrongfully neglects
3 or refuses to deliver the goods, the buyer may maintain an action against the
4 seller for damages for non-delivery.

5 (2) The measure of damages is the loss directly and naturally resulting
6 in the ordinary course of events, from the seller's breach of contract.

7 (3) Where there is an available market for the goods in question, the
8 measure of damages, in the absence of special circumstances showing proxi-
9 mate damages of a greater amount, is the difference between the contract price
10 and the market or current price of the goods at the time or times when they
11 ought to have been delivered, or, if no time was fixed, then at the time of the re-
12 fusal to deliver.

Sec. 68. SPECIFIC PERFORMANCE.] Where the seller has broken a contract to
2 deliver specific or ascertained goods, a court having the powers of a court of
3 equity may, if it thinks fit, on the application of the buyer, by its judgment or
4 decree direct that the contract shall be performed specifically, without giving
5 the seller the option of retaining the goods on payment of damages. The
6 judgment or decree may be unconditional, or upon such terms and conditions
7 as to damages, payment of the price and otherwise, as to the court may seem
8 just.

Sec. 69. REMEDIES FOR BREACH OF WARRANTY.] (1) Where there is a breach
2 of warranty by the seller, the buyer may, at this election—

3 (a) Accept or keep the goods and set up against the seller, the breach of
4 warranty by way of recoupment in diminution or extinction of the price.

5 (b) Accept or keep the goods and maintain an action against the seller
6 for damages for the breach of warranty.

7 (c) Refuse to accept the goods, if the property therein has not passed, and
8 maintain an action against the seller for damages for the breach of warranty.

9 (d) Rescind the contract to sell or the sale and refuse to receive the
10 goods, or if the goods have already been received, return them or offer to re-
11 turn them to the seller and recover the price or any part thereof which has been
12 paid.

13 (2) When the buyer has claimed and been granted a remedy in any one
14 of these ways, no other remedy can thereafter be granted.

15 (3) Where the goods have been delivered to the buyer, he cannot rescind
16 the sale if he knew of the breach of warranty when he accepted the goods, or if
17 he fails to notify the seller within a reasonable time of the election to rescind,
18 or if he fails to return or to offer to return the goods to the seller in substan-
19 tially as good condition as they were in at the time the property was transferred
20 to the buyer. But if deterioration or injury of the goods is due to the breach
21 of warranty, such deterioration or injury shall not prevent the buyer from re-
22 turning or offering to return the goods to the seller and rescinding the sale.

23 (4) Where the buyer is entitled to rescind the sale and elects to do so,
24 the buyer shall cease to be liable for the price upon returning or offering to re-
25 turn the goods. If the price or any part thereof has already been paid, the
26 seller shall be liable to repay so much thereof as has been paid, concurrently
27 with the return of the goods, or immediately after an offer to return the goods
28 in exchange for repayment of the price.

29 (5) Where the buyer is entitled to rescind the sale and elects to do so, if
30 the seller refuses to accept an offer of the buyer to return the goods, the buyer
31 shall thereafter be deemed to hold the goods as bailee for the seller, but subject
32 to a lien to secure the repayment of any portion of the price which has been

33 paid, and with the remedies for the enforcement of such lien allowed to an un-
 34 paid seller by section 53.

35 (6) The measure of damages for breach of warranty is the loss directly
 36 and naturally resulting, in the ordinary course of events, from the breach of
 37 warranty.

38 (7) In the case of breach of warranty of quality, such loss, in the absence
 39 of special circumstances showing proximate damage of a greater amount, is the
 40 difference between the value of the goods at the time of delivery to the buyer
 41 and the value they would have had if they had answered to the warranty.

Sec. 70. INTEREST AND SPECIAL DAMAGES.] Nothing in this Act shall affect
 2 the right of the buyer or the seller to recover interest or special damages in
 3 any case where by law interest or special damages may be recoverable, or to
 4 recover money paid where the consideration for the payment of it has failed.

PART VI.

INTERPRETATION.

Sec. 71. VARIATION OF IMPLIED OBLIGATIONS.] Where any right, duty or lia-
 2 bility would arise under a contract to sell or a sale by implication of law, it
 3 may be negatived or varied by express agreement or by the course of dealing
 4 between the parties, or by custom, if the custom be such as to bind both parties
 5 to the contract or the sale.

Sec. 72. RIGHTS MAY BE ENFORCED BY ACTION.] Where any right, duty, or
 2 liability is declared by this Act, it may, unless otherwise by this Act provided,
 3 be enforced by action.

Sec. 73. RULE FOR CASES NOT PROVIDED FOR BY THIS ACT.] In any case not
 2 provided for in this Act, the rules of law and equity, including the law merchant,
 3 and in particular the rules relating to the law of principal and agent and to
 4 the effect of fraud, misrepresentation, duress or coercion, mistake, bankruptcy,
 5 or other invalidating cause, shall continue to apply to contracts to sell and to
 6 sales of goods.

Sec. 74. INTERPRETATION SHALL GIVE EFFECT TO PURPOSE OF UNIFORMITY.] This
2 Act shall be so interpreted and construed, if possible, as to effectuate its general
3 purpose to make uniform the laws of those states which enact it.

Sec. 75. PROVISIONS NOT APPLICABLE TO MORTGAGES.] The provisions of this
2 Act relating to contracts to sell and to sales do not apply, unless so stated, to
3 any transaction in the form of a contract to sell or a sale which is intended to
4 operate by way of mortgage, pledge, charge, or other security.

Sec. 76. DEFINITIONS.] (1) In this Act, unless the context or subject mat-
2 ter otherwise requires—

3 “Action” includes counterclaim, set-off and suit in equity.

4 “Buyer” means a person who buys or agrees to buy goods or any legal
5 successor in interest of such person.

6 “Defendant” includes a plaintiff against whom a right of set-off or counter
7 claim is asserted.

8 “Delivery” means voluntary transfer of possession from one person to an-
9 other.

10 “Divisible contract to sell or sale” means a contract to sell or a sale in
11 which by its terms the price for a portion or portions of the goods less than
12 the whole is fixed or ascertainable by computation.

13 “Document of title to goods” includes any bill of lading, dock warrant,
14 warehouse receipt or order for the delivery of goods, or any other document
15 used in the ordinary course of business in the sale or transfer of goods, as
16 proof of the possession or control of the goods, or authorizing or purporting
17 to authorize the possessor of the document to transfer or receive, either by in-
18 dorsement or by delivery, goods represented by such document.

19 “Fault” means wrongful act or default.

20 “Fungible goods” means goods of which any unit is from its nature or by
21 mercantile usage treated as the equivalent of any other unit.

22 “Future goods” means goods to be manufactured or acquired by the
23 seller after the making of the contract of sale.

24 “Goods” include all chattels personal other than things in action and
25 money. The term includes emblements, industrial growing crops, and things
26 attached to or forming part of the land which are agreed to be severed before
27 sale or under the contract of sale.

28 “Order” in sections of this Act relating to documents of title means an
29 order by indorsement on the document.

30 “Person” includes a corporation or partnership or two or more persons
31 having a joint or common interest.

32 “Plaintiff” includes defendant asserting a right of set-off or counterclaim.

33 “Property” means the general property in goods, and not merely a spe-
34 cial property.

35 “Purchaser” includes mortgagee and pledgee.

36 “Purchases” includes taking as a mortgagee or as a pledgee.

37 “Quality of goods” includes their state or condition.

38 “Sale” includes a bargain and sale as well as a sale and delivery.

39 “Seller” means a person who sells or agrees to sell goods, or any legal
40 successor in interest of such person.

41 “Specific goods” means goods identified and agreed upon at time a contract
42 to sell or a sale is made.

43 “Value” is any consideration sufficient to support a simple contract. An
44 antecedent or pre-existing claim, whether for money or not, constitutes value
45 where goods or documents of titles are taken either in satisfaction thereof or
46 as security therefor.

47 (2) A thing is done “in good faith” within the meaning of this Act when
48 it is in fact done honestly, whether it be done negligently or not.

49 (3) A person is insolvent within the meaning of this Act who either has
50 ceased to pay his debts in the ordinary course of business or cannot pay his
51 debts as they become due, whether he has committed an Act of bankruptcy
52 or not, and whether he is insolvent within the meaning of the federal bank-
53 ruptcy law or not.

54 (4) Goods are in a “deliverable state” within the meaning of this Act
55 when they are in such a state that the buyer would, under the contract, be bound
56 to take delivery of them.

Sec. 77. NAME OF ACT.] This Act may be cited as the Uniform Sales Act.

Sec. 78. All Acts or parts of Acts inconsistent with this Act are hereby
2 repealed.



- 1 Introduced by Mr. Brinkman, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to make an appropriation to compensate Charles Alling, formerly attorney for the Illinois State Board of Health, for the loss of his right eye.

WHEREAS, Charles Alling of the City of Chicago, County of Cook and State of Illinois was attorney for the Illinois State Board of Health on December 24th, A. D. 1913, and was then discussing in his office the adjustment of certain suits brought by him in behalf of said Board against Frank Klimek; and

WHEREAS, said Frank Klimek without any provocation and without any warning then and there attempted to kill said Alling by firing a shot from a revolver through the right eye of said Alling; and

WHEREAS, said injury resulted in the total loss of sight of said eye and necessitated the employment of two surgeons and expenses for hospital treatment and artificial eyes, and seriously impaired his usefulness in his profession, his remaining eye being weaker than the eye which was lost; and

WHEREAS, the Court of Claims of the State of Illinois has heard testimony and arguments in behalf of a claim for \$22,000 filed by said Alling and has rejected said claim,

Now Therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of twenty-two thousand
3 (\$22,000) dollars be and is hereby appropriated for compensation to Charles
4 Alling, formerly attorney for the Illinois State Board of Health, for the loss
5 of his right eye incurred by him while in the discharge of his duty as said at-
6 torney, without fault or negligence on his part, to be paid to him out of any
7 moneys in the treasury not otherwise appropriated.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant on the State Treasurer in favor of Charles Alling for the
3 sum hereby appropriated, and the State Treasurer is authorized and directed
4 to pay said sum out of any money in the State Treasury not otherwise approp-
5 riated.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 558

1915



2

1 Adopted May 21, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 558, as printed in the House, section 1, lines 2 and 3,
2 by striking out the words and figures, “twenty-two thousand (\$22,000) dollars,”
3 and inserting in lieu thereof the words and figures, “five thousand (\$5,000) dol-
4 lars.”



- 1 Introduced by Committee on Judiciary, March 30, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act giving to the trustees of schools, board of school inspectors, board of education or other corporate authority managing and controlling the public schools of any school district existing by virtue of any special charter and governed by any or all such special charters or special or general school laws of this State, and having a population of fewer than 500,000 inhabitants, the power to acquire property and to have the compensation to be paid therefor determined by the exercise of the right of eminent domain.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever any school district exist-
3 ing by virtue of any special charter and governed by any or all such special
4 charter or special or general school laws of this State, and having a population
5 of fewer than 500,000 inhabitants, shall require any lot or parcel of land situ-
6 ated within such school district for a site for a school building, or for an ad-
7 dition to any school building already erected and used for school purposes, or
8 shall require any lot or parcel of land situated within such school district for the
9 purpose of a playground for school children, and the compensation for such lot

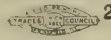
10 or parcel of land cannot be agreed upon between the owner or owners of such
11 lot or parcel of land and the trustees of schools, board of school inspectors, board
12 of education or other corporate authority managing and controlling the public
13 schools of such district, it shall be lawful for the trustees of schools, board of
14 school inspectors, board of education or other corporate authority managing and
15 controlling the public schools of such district to acquire such lot or parcel of
16 land and have the compensation to be paid therefor determined in the manner
17 which may at the time be provided by law for the exercise of the right of emi-
18 nent domain.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 559

1915



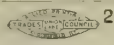
2

1 Adopted April 7, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 559, in line 4, by striking out the words “or gen-

2 eral”.



- 1 Introduced by Mr. Donahue, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to provide for the payment of bounties for killing English sparrows.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That every person, being an inhabitant
3 of this State, who shall kill an English sparrows, in any county not under town-
4 ship organization or in any organized township, village or city, or town in this
5 State during the months of November, December, January, February and March,
6 shall be entitled to receive a bounty of one cent for each sparrow thus killed to
7 be allowed and paid in the manner hereinafter provided: *Provided, however,*
8 *that no poison or poisonous substance shall be used as a means of killing such*
9 *sparrows; And provided, further,* that no gun, revolver, or firearms of any de-
10 scription, or sling shots shall be used within the limits of any city, town or
11 village or upon any public highway or public place as a means of killing such
12 sparrows.

Sec. 2. Every person applying for such bounty shall take such sparrow or
2 the head thereof, in lots of not less than twenty to the county clerk in counties
3 not under township organization, or to the clerk of the township, village or city

4 or town within which such sparrow shall have been killed, who shall thereupon
5 decide upon such application, and if satisfied of the correctness of such claim
6 shall issue a certificate, stating the amount of bounty to which such applicant is
7 entitled, and deliver the same to such applicant and shall destroy the heads
8 of such sparrows.

Sec. 3. Such certificate may be presented by the claimant or his agent to
2 the county clerk of the county in which such sparrow or sparrows have been
3 killed who shall thereupon draw a warrant for the amount on the treasurer of
4 said county and said treasurer shall upon presentation of said warrant pay the
5 same out of the general or contingent fund of said county: *Provided, however,*
6 that any county whose tax levy is equal to a levy of seventy-five cents upon
7 each one hundred dollars assessed valuation for county purposes, the county
8 board may suspend the payment of the bounty in such county for such year
9 and no payment shall be made for the sparrows killed during such year; and
10 the payment shall be suspended by an appropriate resolution at any regular or
11 special session of such board.

Sec. 4. If any person, applying to the clerk of counties not under township
2 organization, or to the clerk of any township, or to the clerk of any city, town
3 or village for certificate stating the amount of bounty to which he may be en-
4 titled under this Act, shall have in his possession or present to such clerk the
5 head or heads of any bird or birds other than the English sparrow such person
6 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be
7 fined five dollars for each head of such bird other than the English sparrow so
8 being in his possession or presented to the clerk. And it shall be the duty of
9 the clerk to whom such application is made, upon the finding the head of any
10 bird, other than the English sparrow, among the heads presented to him, to
11 confiscate the heads so presented and preserve them to be used as evidence
12 against the person applying for the bounty and refuse to issue the certificate.

Sec. 5. It is hereby made the duty of such clerk to ascertain from the applicant of the bounty the place where the English sparrows were killed and if such sparrows or any of them were killed within the limits of any city, town or village, or upon any public highway or place, the manner of killing the sparrows and if any such sparrows were killed by means prohibited in this Act, the clerk shall refuse a certificate to such applicant and such applicant shall not receive any bounty for such sparrows, and such applicant shall be subject to a fine of not less than five dollars for the killing of such sparrows in any manner prohibited by this Act.

Sec. 6. If any clerk of any county not under township organization, clerk of any township, the clerk of any city, town or village shall knowingly issue a certificate for the payment of the bounty, provided for in this Act, for the killing of any bird other than the English sparrow, such clerk shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than five dollars.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 560

1915



2

1 Adopted May 17, 1915.

AMENDMENT NO. 1.

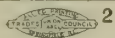
Amend House Bill No. 560, as printed, by striking out all after the first
2 word "provided" in section one (1).

AMENDMENT NO. 2.

Amend House Bill No. 560 by striking out all of section 5 in the printed bill
2 and the figure 6 in section 6 and insert the figure 5 in lieu thereof.

AMENDMENT NO. 3.

Amend House Bill No. 560 by striking out all after the word "State" in
2 line 5 of the printed bill.



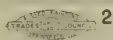
- 1 Introduced by Mr. Donahue, March 30, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 5 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 5 of an Act entitled, "An
3 Act to establish and maintain a system of free schools," approved and in force
4 June 12, 1909, be and the same is hereby amended so as to read as follows:

5 Sec. 5. On Tuesday next after the first Monday in November, 1918, and
6 quadrennially thereafter, there shall be elected by the qualified voters of every
7 county in the State, a county superintendent of schools, who shall enter upon
8 the discharge of his duties the first Monday of August next after his election.



- 1 Introduced by Committee on Agriculture, March 30, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act entitled "An Act to amend section eight (8) of an Act entitled, 'An Act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals,' " approved June 14, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section eight (8) of an Act entitled, "An Act to revise the law in relation to the suppression and prevention of the spread of contagious and infectious diseases among domestic animals," be, and the same is hereby amended to read as follows:

Sec. 8. All claims against the State arising from the slaughter of animals as herein provided for, shall be made to the Board of Live Stock Commissioners under such rules, *not inconsistent with this Act, as they may prescribe; and unless otherwise provided by law, no claim shall be allowed unless the value of animals before being slaughtered shall have been appraised under oath, by three competent and disinterested appraisers, one to be selected by the Board of Live Stock Commissioners, one by the claimant and one by one of the*

8 judges of the circuit court of the district in which said animals are found; and
9 it shall be the duty of the board, before such animals are slaughtered, to give
10 notice to the owner and the said judge. And the said board, the owner, and the
11 said judge shall appoint said appraisers within five (5) days after receipt of
12 said notice, and said appraisal shall take place at a time and place to be
13 fixed by the State Veterinarian and in the presence of the State Veterinarian or
14 one of his assistants; the State Veterinarian, or his assistant is hereby author-
15 ized to administer an oath to said appraisers, to fairly and impartially appraise
16 said animals and fix the fair cash value thereof in health if of the bovine species,
17 for beef, dairy and breeding purposes, in no event to exceed two hundred fifty
18 (\$250) dollars for any one animal, nor to exceed an average value of two hun-
19 dred (\$200) dollars for any herd, or if of the equine species, their fair cash
20 market value in health, in no event to exceed two hundred fifty (\$250) dollars
21 for any one animal, nor to exceed an average value of two hundred (\$200)
22 dollars for any herd, or if sheep or swine, their fair cash market value in health
23 for meat or breeding purposes, in no event to exceed fifty (\$50) dollars for
24 any one animal, nor to exceed an average value of forty (\$40) dollars for any
25 flock or herd, upon such inspection, hearing and inquiry as to the value of said
26 animals of the said appraisers shall deem necessary for that purpose: Pro-
27 vided, however, that no value other than the market utility value of any animal
28 shall be allowed or fixed unless a certificate of registration issued by the registry
29 association, of the breed of such animal, recognized by the United States Gov-
30 ernment, is furnished to the appraisers, and said appraisers shall report under
31 oath the value of said animals, together with a statement of the evidence or facts
32 upon which said appraisal is based, and said board shall certify the same to
33 the Governor for his approval, and if the Governor shall find that said appraisers
34 have proceeded in accordance with law, he shall approve the same for payment,
35 and the Auditor of Public Accounts shall, upon presentation of the same to him,

36 *thereupon issue his warrant upon the State Treasurer for the amount fixed by*
37 *said appraisers in favor of the owner of the animals.*

Sec. 2. WHEREAS, an emergency exists on account of the prevalence of foot
2 and mouth disease in the State of Illinois, this Act shall be in effect from and
3 after its passage.



1 Adopted April 21, 1915.

SUBSTITUTE FOR AMENDMENT NO. 1.

Amend House Bill No. 562, as printed, by striking out in line 17 the words
2 “two hundred fifty”; all of line 18 and all of line 19 to and including the word
3 “herd” and insert in lieu thereof the following:

4 Three hundred (\$300) dollars for any registered animal and not to exceed
5 one hundred fifty (\$150) dollars for any animal not registered; nor to exceed
6 an average value of two hundred fifty dollars (\$250) per head for all regis-
7 tered animals in any herd and not to exceed an average value of one hundred
8 and twenty-five (\$125) dollars per head for all non-registered animals in any
9 herd.

AMENDMENT NO. 4.

Amend House Bill No. 562, as printed, by adding to section 8 at the end
2 of line 37 the following: “*Provided* that where federal authority authorizes
3 the payment of part of the value of such animals the State shall only pay the
4 balance of said appraisement fixed as aforesaid.”

AMENDMENT NO. 5.

Amend House Bill No. 562, as printed, by striking out in line 22 of said
2 printed bill the words “for any herd” and insert in lieu thereof the following:
3 per head for all such animals of any herd. Also by striking out in lines

4 24 and 25 of said printed bill the following words, "for any flock or herd" and
 5 insert in lieu thereof the following, per head for all such animals of any flock or
 6 herd.

AMENDMENT NO. 6.

Amend House Bill No. 562 as follows: By amending the title thereto so
 2 that the same shall read: A Bill for an Act entitled, "An Act to amend sec-
 3 tions two (2) and eight (8) of an Act entitled, 'An Act to revise the law in
 4 relation to the suppression and prevention of the spread of contagious and
 5 infectious diseases among domestic animals,' " approved June 14, 1909, in force
 6 July 1, 1909.

AMENDMENT NO. 7.

Amend House Bill No. 562 as follows: By inserting in line two (2) of sec-
 2 tion one (1) of the printed bill, after the word "that" and in lieu of the word
 3 section and before the word eight (8) in said line this language, "sections two
 4 (2) and."

AMENDMENT NO. 8.

Amend House Bill No. 562 by adding after line five (5) in section one (1)
 2 of the printed Bill and before the portion of said section known as "section
 3 eight" the following section:
 4 Sec. 2. It shall be the duty of said Board of Live Stock Commissioners
 5 to cause to be investigated any and all cases, or alleged cases, coming to their
 6 knowledge, of communicable diseases among domestic animals, within this
 7 State, and to use all proper means to prevent the spread of such diseases, and
 8 to provide for the extirpation thereof; and in the event of reasonable ground
 9 for the belief that any such communicable disease exists in this State, it shall
 10 be the duty of the person owning or having in charge any animal or animals

11 infected with such disease, or any other person having knowledge or reason to
12 suspect the existence of such disease, to immediately notify said Board of
13 Live Stock Commissioners, or some member thereof, by communication to said
14 board or member, of the existence of such disease, and thereupon it shall be the
15 duty of said board, or some member thereof, or authorized agent of the board,
16 immediately to cause proper examination thereof to be made, and if such dis-
17 ease shall be found to be a dangerously contagious or dangerously infectious
18 malady, said board, or any member thereof, or the State Veterinarian, or any
19 assistant State Veterinarian, shall order such diseased animals, and such as
20 have been exposed to contagion, and the premises in or on which they are,
21 or which may have been recently occupied by them, to be strictly quarantined;
22 and they shall have power to order any premises and farms where the disease
23 exists, or has recently existed, as well as exposed premises and farms, to be put
24 in quarantine so that no domestic animal which has been or is so diseased, or
25 has been exposed to such communicable disease, be removed from the premises
26 so quarantined, nor allow any animal susceptible to such disease to be brought
27 therein or thereon, except under such rules and regulations as said Board of
28 Live Stock Commissioners may prescribe, which quarantine, and every quaran-
29 tine established under the provisions of this Act, shall remain in force and effect
30 until removed by order of said board; and said board shall prescribe such
31 regulations as they may deem necessary to prevent any such disease from be-
32 ing communicated from any such diseased animal or exposed animal or from
33 the infected premises or through any other means of communication. In all
34 such cases the said Board of Live Stock Commissioners, or in case the num-
35 ber of animals shall not exceed five, any member thereof, shall have power to
36 order the slaughter of any or all of such diseased or exposed animals. The said
37 board shall also have power to cause to be destroyed all barns, stables, prem-
38 ises, fixtures, furniture and personal property infected with any such com-
39 municable disease, so far as in their judgment may be necessary to prevent the
40 spread of such disease and where the same cannot be properly disinfected; and

41 to order the disinfection of all cars, boats or other vehicles used in transport-
42 ing animals affected with any such communicable disease, or that have been ex-
43 posed to the contagion thereof, and the disinfection of all yards, pens and
44 chutes that may have been used in handling such diseased or exposed animals.

45 When the said board, upon the written report of the State Veterinarian, or
46 any of his assistants, determines that any animal is affected with, or has been
47 exposed to, any dangerously contagious or infectious disease, *proceedings shall*
48 *be had, in conformity with the provisions of section eight of this Act, to ap-*
49 *praise the value of said animals and such other property as it shall be found*
50 *necessary to destroy.* Upon such appraisement being made, it shall become the
51 duty of the owner to immediately destroy such animals and to dispose of the
52 carcasses thereof, and to disinfect the premises occupied by such animals, in
53 accordance with the rules prescribed by said board governing such destruction
54 and disinfection. And upon his failure so to do, said board, or any member
55 thereof, shall cause such animal or animals or property to be destroyed and dis-
56 posed of, and thereupon such owner shall forfeit all right to receive any com-
57 pensation for the destruction of such animal or animals or property.

58 When the board, upon the written opinion of the State Veterinarian, or
59 of any assistant State Veterinarian, determines that any barns, stables, outbuild-
60 ings or premises are so infected that the same cannot be disinfected, they may
61 quarantine such barns, stables, outbuildings or premises from use for the ani-
62 mals that might be infected by such use, and such quarantine shall continue in
63 force and effect until removed by the board, and a violation of such quarantine
64 shall be punished in the same manner as is provided for violation of other
65 quarantine by this Act.

66 Any person feeling himself aggrieved by any quarantine established under
67 the provisions of this Act may appeal to the full Board of Live Stock Commis-
68 sioners, who shall thereupon sustain, modify or annul such quarantine, as they
69 may deem proper.

70 Whenever quarantine is established in accordance with the provisions of
71 this Act, valid notice of the same may be given by leaving with the owner or
72 occupant of any premises so quarantined, in person, or by delivering to any
73 member of his family, or any employee, over the age of ten years found upon
74 the premises so quarantined, notice thereof, written or printed, or partly written
75 and partly printed, and at the same time explaining the contents thereof.
76 Such quarantine shall be sufficiently proven in any court by the production of
77 a true copy of such notice of quarantine with a return thereon of the service of
78 the same in the manner above required, attested by the seal of the Board of
79 Live Stock Commissioners, with the signature of the proper officer thereof.



- 1 Introduced by Mr. Lee O'Neil Browne, March 31, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading without
reference.

A BILL

For an Act to provide for the licensing of steam and operating engineers.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Governor, with the consent of
3 the Senate shall appoint a Chief Examiner of Steam and operating En-
4 gineers, who shall be a competent and practical steam and operating en-
5 gineer, and who shall serve for a term of four years from the first day of
6 May following his appointment, and until his successor is appointed and quali-
7 fied.

Sec. 2. The Chief Examiner of steam and operating engineers shall di-
2 vide the State into two or more districts, and appoint one district examin-
3 er for each district. All District Examiners shall be steam and operating sta-
4 tionary engineers of not less than five years experience immediately prior to his
5 appointment, and shall be appointed from an eligible list supplied by the State
6 Civil Service Commission.

Sec. 3. The Chief examiner of steam and operating engineers shall be a
 2 practical steam operating engineer of not less than ten years experience as a
 3 steam and operating stationary engineer immediately prior to his appoint-
 4 ment.

Sec. 4. Before entering upon the discharge of the duties of his office, the
 2 Chief Examiner of Steam and Operating Engineers, and each District Ex-
 3 aminer, shall give a bond to the State; the Chief Examiner in the sum of
 4 three thousand dollars, and each District Examiner in the sum of two thousand
 5 dollars, for the approval of the Governor. Such bonds, with the oath of office
 6 endorsed thereon, shall be deposited with the Secretary of State and kept in his
 7 office.

Sec. 5. The Chief Examiner shall have an office in the State House in which
 2 the records of the department shall be kept. He shall appoint a sufficient num-
 3 ber of clerks to keep the records of the department: Said clerks to be selected
 4 from an eligible list supplied by the State Civil Service Commission. Each
 5 clerk so appointed shall give a bond of fifteen hundred dollars, for approval by
 6 the Chief Examiner, and conditioned for the faithful discharge of his duties. The
 7 salary of each clerk appointed shall be not less than nine hundred dollars (\$900)
 8 per annum.

Sec. 6. All appointees under this Act shall not follow any vocation except
 2 that named herein. The Chief Examiner shall issue such instructions and make
 3 such rules and regulations for the government of District Examiners, consistent
 4 with the powers and duties conferred on them by law, as he deems necessary to
 5 secure uniformity of action throughout the State.

Sec. 7. For the purpose of examination or inspection authorized by this Act,
 2 the Chief Examiner and District Examiners are empowered to enter upon any
 3 premises and into any building or room thereof at all reasonable hours.

Sec. 8. The Chief Examiner of Steam and Operating Engineers shall
 2 receive a salary of not less than twenty four hundred dollars per an-

num; each District Examiner shall receive a salary of not less than Fifteen hundred dollars per annum. Each shall be allowed traveling expenses actually incurred in the discharge of official duties, such expenses to be paid upon warrant of the State Auditor, upon presentation of proper vouchers therefor.

Sec. 9. No person shall operate any manufacturing or commercial plant, or any steam boiler carrying a pressure of more than 10 pounds gauge or any heating plant of more than 5,000 sq. ft. of radiation without first obtaining a license to do so as provided by this Act. No owner, or agent or user of any such steam boiler, heating, manufacturing of commercial plant shall permit it to be operated unless it is directly in charge of a duly licensed engineer.

Sec. 10. Each person who desires to act as a steam and operating engineer shall make application to the District Examiner in the district in which the applicant is employed, for a license upon an official blank provided for such person. Persons so applying shall pass an examination in the construction and operation of steam boilers and power generating and driven apparatus. The examination shall be conducted under the rules and regulations adopted by the Chief Examiner, shall be of a practical nature, and shall be uniform throughout the State. The Chief Examiner and the District Examiner shall have power to administer all oaths or affirmations to any applicant whenever the same are made necessary by the rules and regulations adopted by the Chief Examiner.

Sec. 11. If, upon such examination, the applicant is found proficient, a license shall be granted him, to have charge of and operate stationary steam boilers and power driven apparatus, for one year from date on which it was issued. Upon written charges, and after reasonable notice and hearing the District Examiner may revoke the license of a person guilty of fraud in obtaining a license, or who becomes insane, or who is addicted to the liquor drug habit to such a degree as to render him unfit to discharge the duties of a steam and operating engineer, or who has been guilty of gross negligence in the discharge of his duties as an engineer.

Sec. 12. Upon application, the person to whom the license is issued under the provisions of this Act, shall be entitled to a renewal thereof annually, unless the District Examiner, for a cause named in the preceding section and upon notice and hearing shall refuse such renewal.

Sec. 13. Each applicant for examination for a license as engineer or for renewal of such license, shall pay to the District Examiner, at the time of application, a fee of two dollars. On or before the fifth day of each month each District Examiner shall remit to the Chief Examiner all fees so received, together with a monthly report of the business of the office.

Sec. 14. Any person over 21 years of age, who is a citizen of the United States, or who has declared his intention of becoming such, shall be eligible to make application for license as a steam and operating engineer, provided he has had three years experience on boilers and power driven apparatus; that any engineer who shall make affidavit as having had three or more years' experience prior to the passage of this bill as a steam and operating engineer, next preceding his application, and upon certification of such fact by his employer, shall be granted a license for the plant he is then operating without further examination.

And it is further provided, that any person holding an engineer's license issued by a regularly constituted municipal board within the State prior to the passage of this bill, shall upon application, and upon payment of the prescribed fee, be granted a license without further examination.

Sec. 15. A person dissatisfied with the action of a District Examiner in refusing a license or revoking same or refusing renewal of one already granted may appeal to the Chief Examiner, who shall investigate the action of the District Examiner. If the Chief Examiner finds that the action of the District Examiner was justified under the requirements of this Act, he shall sustain him in the action. If he finds that the District Examiner was not justified, he shall require him to issue a license to the person making the appeal.

Sec. 16. Each engineer shall exhibit his license under glass in a conspicuous
2 place in his engine or boiler room, if possible, and for each neglect or refusal to
3 comply with the provisions of this section, shall be fined not to exceed five dol-
4 lars.

Sec. 17. Whoever, being an engineer or owner or user of a steam boiler,
2 heating manufacturing or commercial plant violating any provisions of this Act,
3 except as specified, shall be fined not less than \$10.00 or more than \$100.00.

Sec. 18. The provisions of this Act shall not apply to locomotives used by
2 incorporated railroads, or steam boilers or power driven apparatus under the
3 jurisdiction of the United State; nor to engines, boilers or other apparatus
4 used at railroad pumping stations.

Sec. 19. Neither this bill, nor any part thereof, shall have any application
2 to the "traction" or "stationary" engines on farms for purely agricultural pur-
3 poses necessarily connected with the operations of said farms; nor to traction or
4 other engines used on or over roads or highways for road or agricultural
5 purposes.

Sec. 20. Neither shall this bill or any part thereof have any application to
2 engines or power driven apparatus used by the mining industries in the process
3 of mining.

Sec. 21. Cities and villages having municipal license laws covering the
2 licensing of steam and operating engineers prior to the passage of this Act,
3 shall be exempt from the provisions of this Act.

Sec. 22. The Chief Examiner shall pay all moneys and fees received by him
2 from the District Examiners into the State Treasury, to the use of the general
3 revenue fund, on or before the tenth day of each month; and file a report with the
4 Governor at such time, giving an account of all moneys received by him and paid
5 into the State Treasury.



1 Adopted June 9, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 563 by striking out all after the enacting clause and
2 by inserting and substituting in lieu thereof, the following:

3 That the Governor, with the consent of the Senate shall appoint a Chief
4 Examiner of steam and operating engineers, who shall be a competent and prac-
5 tical steam and operating engineer, and who shall serve for a term of four years
6 from the first day of May following his appointment, and until his successor in
7 appointed and qualified.

Sec. 2. The Chief Examiner of steam and operating engineers shall divide
2 the State into two or not to exceed three districts, and appoint one district ex-
3 aminer for each district. All district examiners shall be steam and operating
4 stationary engineers of not less than five years' experience immediately prior to
5 his appointment, and shall be appointed under and be subject to the laws of this
6 State relating to civil service.

Sec. 3. The Chief Examiner of steam and operating engineers shall be a
2 practical steam operating engineer of not less than ten years' experience as a
3 steam and operating stationary engineer immediately prior to his appointment.

Sec. 4. Before entering upon the discharge of the duties of his office, the
2 Chief Examiner and steam and operating engineers, and each district examiner,
3 shall give a bond to the State; the Chief Examiner in the sum of three thou-

4 sand dollars, and each district examiner in the sum of two thousand dollars, for
5 the approval of the Governor. Such bonds, with the oath of office endorsed
6 thereon, shall be deposited with the Secretary of State and kept in his office.

Sec. 5. The Chief Examiner shall have an office in the State House in which
2 the records of the department shall be kept. He shall appoint a sufficient num-
3 ber of clerks to keep the records of the department: Said clerks shall be ap-
4 pointed under and be subject to the laws of this State relating to civil service.
5 Each clerk so appointed shall give a bond of fifteen hundred dollars, for approv-
6 al by the Chief Examiner, and conditioned for the faithful discharge of his
7 duties. The salary if each clerk appointed shall be not more than twelve hun-
8 dred dollars (\$1,200) per annum.

Sec. 6. All appointees under this Act shall not follow any vocation except
2 that named herein. The Chief Examiner shall issue such instructions and
3 make such rules and regulations for the government of district examiners, con-
4 sistent with the powers and duties conferred on them by law, as he deems nec-
5 essary to secure uniformity of action throughout the State.

Sec. 7. For the purpose of examination or inspection authorized by this
2 Act, the Chief Examiner and district examiners are empowered to enter upon
3 any premises and into any building or room thereof at all reasonable hours.

Sec. 8. The Chief Examiner of steam and operating engineers shall receive
2 a salary of not more than twenty-four hundred dollars per annum; each district
3 examiner shall receive a salary of not more than fifteen hundred dollars per
4 annum. Each shall be allowed traveling expenses actually incurred in the dis-
5 charge of official duties, such expenses to be paid upon warrant of the State
6 Auditor, upon presentation of proper vouchers therefor.

Sec. 9. No person shall operate any manufacturing or commercial plant, or
2 any heating plant using a boiler carrying a pressure of more than 20 pounds
3 gauge without first obtaining a license to do so as provided by this Act. No

4 owner, or agent or user of any such heating, manufacturing or commercial plant
5 shall permit it to be operated unless it is directly in charge of a duly licensed
6 engineer.

Sec. 10. Each person who desires to act as a steam and operating engi-
2 neer shall make application to the district examiner in the district in which the
3 applicant is employed, for a license upon an official blank provided for such
4 person. Persons so applying shall pass an examination in the construction and
5 operation of steam boilers and power generating and driven apparatus. The
6 examination shall be conducted under the rules and regulations adopted by the
7 Chief Examiner, shall be of a practical nature, and shall be uniform throughout
8 the State. The Chief Examiner and the district examiner shall have power to
9 administer all oaths or affirmations to any applicant whenever the same are
10 made necessary by the rules and regulations adopted by the Chief Examiner.

Sec. 11. If, upon such examination, the applicant is found proficient, a li-
2 cense shall be granted him, to have charge of and operate stationary steam boil-
3 ers and power driven apparatus, for one year from date on which it was issued.
4 Upon written charges, and after reasonable notice and hearing the district ex-
5 aminer may revoke the license of a person guilty of fraud in obtaining a license,
6 or who becomes insane, or who is addicted to the liquor drug habit to such de-
7 gree as to render him unfit to discharge the duties of a steam and operating
8 engineer, or who has been guilty of gross negligence in the discharge of his
9 duties as an engineer.

Sec. 12. Upon application, the person to whom the license is issued under
2 the provisions of this Act, shall be entitled to a renewal thereof annually, unless
3 the district examiner, for a cause named in the preceding section and upon no-
4 tice and hearing shall refuse such renewal.

Sec. 13. Each applicant for examination for a license as engineer or for
2 renewal of such license, shall pay to the district examiner, at the time of appli-

3 cation, a fee of two dollars. On or before the fifth day of each month each dis-
4 trict examiner shall remit to the chief examiner all fees so received, together
5 with a monthly report of the business of the office.

Sec. 14. Any person over 21 years of age, who is a citizen of the United
2 States, or who has declared his intention of becoming such, shall be eligible to
3 make application for license as a steam and operating engineer, provided he has
4 had three years experience on boilers and power driven apparatus; that any en-
5 gineer who shall make affidavit as having had three or more years' experience
6 prior to the passage of this Bill as a steam and operating engineer, next pre-
7 ceding his application, and upon certification of such fact by his employer, shall
8 be granted a license for the plant he is then operating without further examin-
9 ation.

10 *And it is further provided,* that any person holding an engineer's license is-
11 sued by a regularly constituted municipal board within the State prior to the
12 passage of this Bill, shall upon application, and upon payment of the pre-
13 scribed fee, be granted a license without further examination.

Sec. 15. A person dissatisfied with the action of a district examiner in re-
2 fusing a license or revoking same or refusing renewal of one already granted
3 may appeal to the chief examiner, who shall investigate the action of the dis-
4 trict examiner. If the Chief Examiner finds that the action of the district ex-
5 aminer was justified under the requirements of this Act, he shall sustain him in
6 the action. If he finds that the district examiner was not justified, he shall re-
7 quire him to issue a license to the person making the appeal.

Sec. 16. Each engineer shall exhibit his license under glass in a conspicu-
2 ous place in his engine or boiler room, if possible, and for each neglect or refusal
3 to comply with the provisions of this section, shall be fined not to exceed five
4 dollars.

Sec. 17. Whoever, being an engineer or owner or user of a steam boiler,
2 heating manufacturing or commercial plant violating any provisions of this
3 Act, except as specified, shall be fined not less than \$10.00 or more than \$100.00.

Sec. 18. The provisions of this Act shall not apply to locomotives used by
2 incorporated railroads, or steam boilers or power driven apparatus under the
3 jurisdiction of the United States; nor to engines, boilers or other apparatus
4 used at railroad pumping stations.

Sec. 19. Neither this bill, nor any part thereof, shall have any application
2 to the "traction" or "stationary" engines on farms for purely agricultural
3 purposes necessarily connected with the operations of said farms; nor to trac-
4 tion or other engines used on or over roads or highways for road or agricul-
5 tura purposes; nor to any saw-mill, grist-mill, green-house or transitory or
6 traveling threshing outfit.

Sec. 20. Neither shall this bill or any part thereof have any application
2 to engines or power driven apparatus used by the mining industries in the pro-
3 cess of mining.

Sec. 21. Cities and villages having municipal license laws covering the li-
2 censing of steam and operating engineers prior to the passage of this Act, and
3 all persons natural or artificial living or being therein and while so living or
4 being therein shall be exempt from the provisions of this Act.

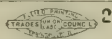
Sec. 22. The Chief Examiner shall pay all moneys and fees received by
2 him from the district examiners into the State treasury, to the use of the gen-
3 eral revenue fund, on or before the tenth day of each month; and file a report
4 with the Governor at such time, giving an account of all moneys received by
5 him and paid into the State treasury.

Sec. 23. No money or moneys, in any amount, over and above the money
2 or moneys actually paid into the State treasury under the provisions of this

3 Act, shall, in any event, be appropriated from or by the State of Illinois under,
4 or to carry out, the provisions of this Act.

AMENDMENT NO. 3.

Amend House Bill No. 563, as follows: Amend amended Bill by inserting
2 the words "nor to any pumping station of any farm drainage or levee dis-
3 trict," after the word "outfit" at the end of section 19 thereof.



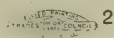
- 1 Introduced by Mr. Mulcahy, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to prevent the giving away of pictures, or premiums of any sort or kind, or other thing of value or inducement to purchase, with cigarettes and to provide a penalty for its violation.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be, and is, unlawful for
3 any person or corporation to give away any picture, premium, or other thing
4 of value or inducement to purchase, with cigarettes sold or given away.

Sec. 2. Any person or corporation violating the provisions of this Act
2 shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be
3 fined not less than ten nor more than one hundred dollars for each and every
4 offense.



- 1 Introduced by Mr. Hamlin, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to regulate the profession of public accounting.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any citizen of the United States or
3 person who has duly declared his intention of becoming such citizen, residing
4 in or having a place for the regular transaction of business as a professional
5 accountant in the State of Illinois, being over the age of twenty-five (25) years,
6 of good moral character, being a graduate of a high school with a four years'
7 course, or having an equivalent education, or having had at least five (5) years'
8 experience as an accountant, three (3) or more years of which shall have been
9 as a public accountant on his own account or as senior accountant in charge of
10 public accounting, and who shall have received from the Illinois State Board
11 of Accountancy a certificate of his qualifications to practice as a public account-
12 ant as hereinafter provided, shall be styled and known as "Certified Public
13 Accountant", except that no certificate shall be issued to any applicant under
14 this Act until he has had at least three (3) years' practical experience as a

15 public accountant, and no other person or firm, all of the members of which are
16 not certified public accountants, and no corporation shall assume such title or
17 use the abbreviation "C. P. A." or any other words or letters to indicate that
18 the person, firm or corporation using the same is a certified public accountant.

Sec. 2. The Governor shall, within thirty (30) days after this Act takes
2 effect, appoint five (5) persons residing in this State, who shall be skilled in
3 the practice of accounting, and who shall have been actively engaged therein
4 on their own account within the State of Illinois for a period of at least five
5 (5) years next preceding the passage of this Act to constitute and serve as a
6 State Board of Accountancy. The members of such board shall hold office for
7 four (4) years and until their successors are appointed and have qualified; save
8 and except that one (1) of the members of the board first to be appointed
9 under this Act shall hold office for one (1) year; one (1) for two (2) years; one
10 (1) for three (3) years; and two (2) for four (4) years. Any vacancy that
11 may occur from any cause shall be filled by the Governor for the unexpired
12 term: *Provided*, that all appointments made after the first board must be made
13 from the roll of certificates issued under this Act.

Sec. 3. The State Board of Accountancy shall make all needful rules and
2 regulations regarding the qualifications and experience of persons applying for
3 certificates under this Act, the conduct of the examinations herein provided
4 for or their character or scope, the method and time of filing applications for ex-
5 aminations and their form and contents and all the rules and regulations neces-
6 sary to carry into effect the purpose of this Act. Examinations shall be held
7 by the board at least once each year at such time and place as may be deter-
8 mined by it. The time and place of holding examinations shall be duly adver-
9 tised for not less than three (3) consecutive days, not less than thirty (30) days
10 prior to the date of each examination, in at least two (2) representative daily
11 papers published in the State. The examinations shall be in "Theory of Ac-
12 counts," "Practical Accounting," "Auditing" and "Commercial Law," as it ap-

plies to accounting: *Provided, however,* that applicants who have passed a satisfactory examination in two (2) or more subjects at any previous examination within the period of eighteen (18) months prior thereto, shall be given due credit therefor and shall not be required to take an additional examination in such subjects.

Sec. 4. That the Illinois State Board of Accountancy shall be authorized to charge each applicant for a certificate a fee not to exceed twenty-five dollars (\$25.00), same to be paid when the application is filed. Out of the funds collected under this Act shall be paid the expenses of the Illinois State Board of Accountancy, and an amount not exceeding twenty-five dollars (\$25.00) per day for each member of the board in attendance at its meeting and actual traveling expenses, for the time expended in conducting examinations and issuing certificates provided no expense incurred by said board shall ever be charged to the funds of this State.

Sec. 5. That the Illinois State Board of Accountancy may, in its discretion, register the certificates of any certified public accountant issued under the law of another State and may issue to such certified public accountant a certificate which shall entitle the holder to practice as such certified public accountant and to use the abbreviation "C. P. A." in this State: *Provided,* that the State issuing the original certificate has similar requirements and grants the same privileges to the certified public accountants of this State. The fee for the registration of certificates of other States shall not exceed twenty-five (\$25.00): *Provided, however,* that the Illinois State Board of Accountancy shall without charge issue certificates under this Act to all present holders of "C. P. A." certificates granted under the authority of any former law of this State.

Sec. 6. That the Illinois State Board of Accountancy shall waive the examination of and issue a certificate to any person possessing the qualifications mentioned in section 1 of this Act, who, 1st, for not less than five (5) years has been actively employed as public accountant, and been a resident or had a

5 place for the regular transaction of the business of public accounting in this
6 State for six months prior to the passage of this Act; who shall apply in writing
7 to the board for such certificate, and provided said application be filed within
8 ninety (90) days after the passage of this Act; or who, 2nd, for more than
9 three (3) consecutive years before the passage of this Act shall have been prac-
10 ticing in this State, maintaining a regular place for the transaction of business
11 as a professional accountant on his own account and as his principal vocation,
12 and who shall apply in writing to the board for such certificate within ninety
13 (90) days after the passage of this Act.

Sec. 7. That the Illinois State Board of Accountancy may revoke any cer-
2 tificate issued under this Act, or may cancel the registration of any certificate
3 registered under this Act, for the unprofessional conduct of the holder of such
4 certificates, or for other cause, provided that written notice shall have been
5 mailed to the holder of such certificate twenty (20) days before any hearing
6 thereon stating the cause for such contemplated action, and appointing a day for
7 a full hearing thereon by the Illinois State Board of Accountancy: *And pro-*
8 *vided, further,* that no certificates issued under this Act shall be revoked until
9 such hearing shall have been held.

Sec. 8. That if any person shall represent himself to the public as having
2 received a certificate as provided in this Act, or who shall assume to practice
3 as a certified public accountant, or use the abbreviation "C. P. A." or any sim-
4 ilar words or letters to indicate that the person using the same is a certified
5 public accountant, without having received a registration certificate, as pro-
6 vided in this Act, and having lost thereafter such certificate by revocation as
7 provided in section 7, shall continue to practice as certified public accountant,
8 he shall be deemed guilty of a misdemeanor, and upon conviction thereof
9 shall be fined not less than two hundred dollars (\$200.00) or sentenced to serve
10 three (3) months in jail for each offense.

Sec. 9. That sections 1, 2, 3, 4, 5 and 6 of an Act approved May 15, 1902,
entitled, "An Act to regulate the profession of public accountants, as amended
by an Act approved May 25, 1907," and all laws or parts of laws in conflict
with this Act, be and the same are hereby repealed.



1 Adopted May 13, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 565 by striking out sections 1 and 2 and substituting in
2 lieu thereof the following:

3 SECTION I. *Be it enacted by the People of the State of Illinois, represented*
4 *in the General Assembly:* That any citizen of the United States or person who
5 has duly declared his intention of becoming such citizen, residing in or having
6 a place for the regular transaction of business as a professional accountant in the
7 State of Illinois, being over the age of twenty-one (21) years, of good moral
8 character, and who shall have received from the Illinois State Board of Account-
9 ancy a certificate of his qualifications to practice as a public accountant as herein-
10 after provided, shall be styled and known as "Certified Public Accountant", and
11 no other person or firm, all of the members of which are not certified public ac-
12 countants, and no corporation shall assume such title or use the abbreviation "C.
13 P. A." or any other words or letters to indicate that the person, firm or corpora-
14 tion using the same is a certified public accountant, except as hereinafter pro-
15 vided.

16 Sec. 2. The Governor shall, within thirty (30) days after this Act takes ef-
17 fect, appoint five (5) persons residing in this State, four (4) of whom shall be
18 holders of C. P. A. certificates issued under the Act of 1903, all of whom shall have
19 been engaged in public accounting for a period of three (3) years prior to the
20 passage of this Act, and one (1) of whom shall be a practicing attorney in this
21 State, to constitute and serve as the Illinois State Board of Accountancy. The

22 members of such board shall hold office for four (4) years and until their suc-
 23 cessors are appointed and have qualified; save and except one (1) of the mem-
 24 bers of the board first to be appointed under this Act shall hold office for one
 25 (1) year; one (1) for two (2) years; one (1) for three (3) years; and two (2) for
 26 four (4) years. Any vacancy that may occur from any cause shall be filled by
 27 the Governor for the unexpired term: *Provided*, that all appointments except
 28 that of the attorney at law made after the first board, must be made from the
 29 roll of certificates issued under this Act, or under the Act of 1903 and the amend-
 30 ments thereto, who shall have been in practice on their own account in this State
 31 for a period of five (5) years next preceding the date of their appointment.

AMENDMENT NO. 2.

Amend House Bill No. 565, section 3, in line 4, by inserting after the word
 2 "for" the word "and" in lieu of the word "or" and after the word "character"
 3 the word "and" in lieu of the word "or".

4 Amend section 4, in line 5, after the word "exceeding" by inserting the word
 5 "ten" in lieu of the words "twenty-five", and the figure "10" in lieu of the fig-
 6 ure "25" after the word "dollars" in same line. Also by adding after the word
 7 "State"; the Board shall annually report the number of certificates issued and the
 8 receipts and expenses under this Act to the Governor.

9 Amend section 5 by striking out all of lines 9, 10, and 11.

10 Amend section 6 by striking out the entire section and inserting in lieu there-
 11 of the following:

12 Sec. 6. That the Illinois State Board of Accountancy shall waive the exam-
 13 ination of and issue a certificate to any person who at the date when an Act to
 14 regulate the profession of public accountants, approved May 15, 1903, went into
 15 force and effect, viz., July 1, 1903, had had five (5) successive years' experience
 16 as a public accountant and who had been practicing in this State as a public ac-

17 countant on his own account for a period of not less than one (1) year next prior
18 to the said date, regardless of preliminary educational attainments.

19 Amend section 7, in line 2, after the word "Act", by inserting the words and
20 figures "and the Act of 1903", and in line 3, and after the word "Act" "or
21 under the Act of 1903". And in line 8, after the word "Act", "or under the Act
22 of 1903".

23 Amend by striking out all of section 8, and inserting the following:

24 Sec. 8. If any person shall represent himself to the public as having a cer-
25 tificate provided for in this Act, or in the Act of 1903, hereinbefore fully described,
26 or shall assume to practice as certified public accountant without having re-
27 ceived such certificate provided for in this Act shall thereafter lose the same by
28 revocation and continue to practice as a certified public accountant, or use such
29 title or any other title mentioned in section 1 of this Act, or if any person shall vio-
30 late any of the provisions of this Act, he shall be deemed guilty of a misdemeanor
31 and upon conviction thereof shall be fined in a sum not less than one hundred dol-
32 lars (\$100.00) or more than five hundred dollars (\$500.00), or imprisoned in the
33 county jail for a period of not less than one (1) month or more than six (6)
34 months, or both, in the discretion of the court, for each day during which he shall
35 so practice or violate any of the provisions of this Act.

AMENDMENT NO. 3.

Amend House Bill No. 565, section 9, by striking out all of section 9, and
2 inserting in lieu thereof the following:

3 Sec. 9. All certified public accountant certificates issued by the Univer-
4 sity of Illinois in pursuance of the authority conferred upon it in "An Act
5 to regulate the profession of public accountants," approved May 15, 1903, and
6 in force July 1, 1903, are recognized and confirmed as valid and the holders of
7 such certificates may continue to practice as certified public accountants with-
8 out taking any steps to have new certificates issued to them under this Act.

9 Sec. 10. That sections 1, 2, 3, 4, 5, and 6, of an Act approved May 15, 1903,
10 entitled, "An Act to regulate the profession of public accountants, as amended
11 by an Act approved May 25, 1907," and all laws or parts of laws in conflict with
12 this Act, be and the same are hereby repealed.

1 Introduced by Mr. Lipshulch, March 31, 1915.

2 Read by title, ordered printed and referred to Committee on Public Utilities and
Transportation.

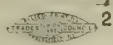
A BILL

For an Act to amend an Act entitled, "An Act to compel gas companies to pay interest on deposits made by parties at the request of such companies," approved May 29, 1879, in force July 1, 1879, by amending the title thereto and by adding thereto a new section to be known as section two (2).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to compel gas companies to pay interest on deposits made by parties at the request of such companies," approved May 29, 1879, in force July 1, 1879, be and the same is hereby amended by amending the title thereto, and further amended by adding thereto a new section to be known as section two (2), which said title and new section shall read as inserted at length herein.*

8 Sec. 2. The title of this Act is hereby amended to read as follows: "*An Act concerning interest payments and charges by and to gas companies.*"
9
10 *No gas company or person or association engaged in manufactur-*
11 *ing gas for public or private use in this State shall require any person, firm or*

12 corporation to pay any interest charge in excess of seven (7) per cent per an-
13 num, whether such charge be in the nature of a penalty for non-payment by a
14 given date for gas consumed or otherwise, and all charges for gas consumed
15 over and above the published rate or the rate fixed by law shall be considered
16 interest charges. Any person, firm or corporation violating any of the provis-
17 ions of this section shall, upon conviction, be subject to a penalty not to exceed
18 one hundred (100) dollars, one-half ($\frac{1}{2}$) of such penalty to be payable to the ag-
19 grieved person, firm or corporation lodging the complaint.



- 1 Introduced by Mr. E. Walter Green, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to secure uniformity in school text-books, and providing penalties
for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there is hereby created a State
3 School Text-book Commission to be composed of the State Superintendent of
4 Public Instruction and eight (8) members to be appointed by the Governor, by
5 and with the advice and consent of the Senate, of whom not more than five (5)
6 of said commission shall belong to the same political party, and representing, as
7 nearly as may be, the different sections of the State, subject to the provisions
8 of this Act. This commission shall be composed of persons of recognized abil-
9 ity, who shall have been actively engaged in school work for at least three (3)
10 years next preceding their appointment and who are in as close touch with
11 the public school work as is practicable: *Provided*, that at least three (3)
12 members of the commission shall have been teachers in a rural school and out-
13 side of any town or city. For use in the common schools of this State said com-
14 mission shall select or procure the compilation of a series of text-books on the

15 following subjects: Spelling, reading, including primer, arithmetic, geography,
 16 English grammar, history of the United States, and a graded series of writing
 17 books. The matter contained in the readers shall consist of lessons commencing
 18 with the simplest expressions of the language, and by a regular graduation, ad-
 19 vancing to and including the higher styles of composition, both in poetry and
 20 prose: *Provided*, that none of said text books shall contain anything of a par-
 21 tisan or sectarian character: *And, provided, further*, that the foregoing books
 22 shall be at least equal in size and quality, as to matter, material, style of bind-
 23 ing and mechanical execution to standard text-books now in general use: *And*
 24 *provided, further*, that said commission may select any other text-book on any
 25 other subject not included herein, and when such selection be made, the text-
 26 book so selected shall be used in all common schools in the State of Illinois.

27 For use in the high schools of this State said commission shall select or
 28 procure single text-books on the following subjects: Algebra, geometry, com-
 29 mercial arithmetic, history, United States, ancient, medieval and modern; civil
 30 government; physical geography; commercial geography; history of English
 31 literature; history of American literature; English composition and rhetoric;
 32 Latin,—beginning Latin, Latin grammar, prose composition, Caesar, Cicero, Vir-
 33 gil; German conversational method grammar and grammatical method gram-
 34 mar. The commission shall select four elective text-books for high schools in
 35 each of the following subjects: Botany, zoology, physics, chemistry, agricul-
 36 ture, agricultural botany. Said commission may select single or elective text-
 37 books in any additional subjects not included in this section, which are taught
 38 in any high school or any subject which may hereafter be included in the cur-
 39 riculum of any high school, whenever any high school shall determine to teach
 40 such subject, and whenever such selection is made by said commission, the text-
 41 book so selected shall be used in all high schools in the State of Illinois, teaching
 42 said subject.

Sec. 2. The commission shall advertise for twenty-one consecutive days
 2 in two daily papers published in this State, having the largest circulation, that at

a time and place to be fixed by said notice, and not later than six months after the first publication thereof said commission will receive sealed proposals on the following:

First—From publishers of school text-books, for furnishing books to school directors, school trustees and boards of education of the State of Illinois for use in the common and high schools of this State, as provided in this Act, for a term of five years, stating specifically in such bid the price at which each book will be furnished, and accompanying such bid with specimen copies of each and all books proposed to be furnished in such bid.

Second—From authors of school text-books, who have manuscripts of books not published, for prices at which they will sell their manuscript, together with the copyright of such books, for use in the public and high schools of the State of Illinois.

Third—From persons who are willing to undertake the compilation of a book or books, or a series of books, as provided for in section one (1) of this Act, the prices at which they are willing to undertake such compilation of any or all of such books to the acceptance and satisfaction of the said commission: *Provided*, that any and all bids by publishers, herein provided for, must be accompanied by a bond in the penal sum of ten thousand dollars (\$10,000), with resident freehold surety or surety company bond, to the acceptance and satisfaction of the Governor of this State, conditioned that if any contract be awarded to any bidder hereunder, such bidder will enter into a contract to perform the conditions of his bid to the acceptance and satisfaction of said commission: *And provided, further*, that no bid shall be considered unless the same be accompanied by the affidavit of the bidder that he is in no wise, directly or indirectly, connected with any other publisher or firm who is now bidding for books submitted to such commission, nor has any pecuniary interest in any other publisher or firm bidding at the same time, and that he is not a party to any compact, syndicate or other scheme whereby the benefits of competition are denied to the people of this State: *And be it further provided*,

33 that if any competent author or authors shall compile any one or more books
34 of the first order of excellence, and shall offer the same as a free gift to the
35 people of this State, together with the copyright of the same and the right to
36 manufacture and sell such works in the State of Illinois for use in the public
37 schools, it shall be the duty of such commission to pay no money for any manu-
38 script or copyright for such book or books on the subject treated of in the
39 manuscript so donated; and such commission shall have the right to reject any
40 and all bids, and at their option such commission shall have the right to reject
41 any bid as to a part of such books, and to accept the same as to the residue
42 thereof.

Sec. 3. It shall be the duty of such commission to meet at the time and
2 place mentioned in such notice, and open and examine all sealed proposals re-
3 ceived pursuant to the notice provided for in section two (2) of this Act, and
4 it shall be the further duty of such commission to make a full, complete and
5 thorough investigation of all such bids or proposals and to ascertain under
6 which of said proposals or propositions the school-books could be furnished
7 to the people of this State for use in the common and high schools at the lowest
8 price, taking into consideration the size and quality as to matter, material, style
9 of binding and mechanical execution of such books: *Provided, however,* that
10 such commission shall not in any case contract with any author, publisher or
11 publishers, for the furnishing of any book, manuscript, copyright or books
12 which shall be sold to patrons for use in the public schools or high schools
13 of this State at a price above or in excess of the lowest contract selling price of
14 the same book or books at any place in the United States, which price shall in-
15 clude all costs and charges for transportation to the railroad or river station
16 nearest to the several depositories in this State: *And provided, further,* that
17 the total cost for a series of the books for common schools enumerated in sec-
18 tion one (1) of this Act shall not exceed the sum of six (6) dollars; and that
19 when any contractor furnishing books to be used in the public schools of Illi-
20 nois under the provisions of this Act shall contract to sell elsewhere the same

21 book or books at a lower price than the contract price in Illinois, then the said
22 contractor shall make the said lower price apply to all future sales in Illinois;
23 and that if said contractor shall refuse to make such reduction in price then
24 the Governor of the State shall cause an investigation of such refusal to be
25 made, and if he shall find that the same book is sold elsewhere under like con-
26 ditions at a lower price than the Illinois contract price, he shall then have the
27 power and it shall be his duty to order the contract with Illinois canceled,
28 and new books advertised for as heretofore provided: *Provided, further,* that
29 no book or books in which any member of said commission may have any
30 financial interest, either directly or indirectly, shall be adopted by said com-
31 mission; and that no contract under the provisions of this Act shall be made
32 for a period exceeding five years. Nothing in this Act shall be construed as af-
33 fecting any contracts now existing relating to the furnishing of school books
34 for this State: *And provided, further,* that the letting of all contracts for
35 books shall be upon full and fair competition into which any person, persons or
36 corporations may enter and may bid to furnish any book or books whether
37 such book or books be at the time in use in the schools of the State under
38 contract or not.

Sec. 4. Every contract made by the State School Text-Book Commission
2 for furnishing school books shall provide that the county superintendent of
3 schools in each county of the State shall appoint some dealer or merchant with-
4 in the county to act as a depository for the sale and distribution of school
5 books contracted for by such commission, and he shall contract with said
6 dealer or merchant to carry a sufficient supply of said adopted books to sup-
7 ply the trade in the county, and to sell the same at contract price, except to
8 other dealers and merchants within the county, to whom he shall sell the books
9 at a discount of ten per cent from the contract price. The said depository mer-
10 chant or dealer shall also contract with said county superintendent of schools
11 to furnish to each publisher holding a contract with the State of Illinois under
12 this Act, satisfactory evidence of his financial responsibility, or furnish a surety

13 bond covering the estimated amount of sales to be made by him in any year;
14 whereupon the said contractor or publisher shall sell to said dealer all books
15 ordered by him at a discount of fifteen per cent from the contract price: *Pro-*
16 *vided*, that said school book depository shall pay cash to the contractor or pub-
17 lisher for all books received within sixty (60) days of the date of shipment of
18 such books: *And provided, further*, that the contractor shall pay all transpor-
19 tation charges to the nearest railroad or river station to said depository. It
20 shall be the duty of said depository annually in July to ascertain from the county
21 superintendent of schools and local dealers the probable number of books that
22 will be needed to supply the schools for the ensuing year, and upon receipt of
23 such books he shall immediately notify the local dealers and merchants, desir-
24 ous of handling such books: *Provided*, that the county superintendent of
25 schools at any time, on the request of any school trustee, school director, or
26 member of a board of education, shall appoint such school officers to act as a
27 depository merchant or dealer for the sale and distribution of school books,
28 and in such case the school trustee, or director or member of the board of edu-
29 cation in his capacity as depository merchant or dealer shall conform in all re-
30 spects to the provisions of this Act as they apply to any other depository mer-
31 chant or dealer appointed by the county superintendent of schools.

Sec. 5. If, upon the examination of such proposals, it shall be the opinion
2 of such commission that such books can be furnished cheaper to the patrons
3 for use in the common or high schools in this State by procuring and causing to
4 be published the manuscript of any or all of such books, it shall be their duty
5 to procure such manuscript and to advertise for sealed proposals for publishing
6 the same, in like manner as hereinbefore provided, and under the same condi-
7 tions and restrictions. And such contract may be let for the publication of all
8 such books, or for any one or more of such books separately; and it shall be
9 the further duty of such commission to provide, in the contract for the publi-
10 cation of any such manuscript, for the payment by the publisher of the com-
11 pensation agreed upon between such commission and the author or owner of any

12 such manuscript for such manuscript, together with the cost or expense of copy-
13 righting the same.

Sec. 6. It shall be a part of the terms and conditions of every contract
2 made in pursuance of this Act that the State of Illinois shall not be liable to any
3 contractor hereunder for any sum whatever; but that all such contractors shall
4 receive their pay and compensation solely and exclusively from the proceeds of
5 the sale of the books, as provided for in this Act.

Sec. 7. As soon as such commission shall have entered into any contract
2 for the furnishing of books for use in the public schools of this State, pursuant
3 to the provisions of this Act, it shall be the duty of the Governor to issue his
4 proclamation announcing such fact to the people of this State, a copy of which
5 proclamation shall be mailed by the State Superintendent of Public Instruction
6 to each county superintendent of schools throughout the State; and from and
7 after such proclamation and the expiration of the last contract for school
8 books now in force, it shall be unlawful for any school officer, director, trustee,
9 principal or superintendent to deal in school books in his official capacity, and
10 no part of the expense of dealing in such books shall be borne by any school of-
11 ficer or district.

Sec. 8. Whenever the contractors for furnishing books for use in the com-
2 mon and high schools shall have filed with the State Superintendent of Public In-
3 struction their consent in writing to the revision, or the introduction of an in-
4 termediate book, as hereinafter provided, duly executed by them, and the
5 State School Book Commission shall determine that a revision is needed
6 of any or all of the books in use in the common or high schools under contract
7 made pursuant to law, or that an intermediate grammar or language lessons
8 is needed, then it shall be lawful for the State School Book Commission
9 to order a revision to be made of any or all of such books as in their judg-
10 ment may be found necessary for the welfare of the common or high schools of
11 the State, in the manner and under the conditions following: The said school

12 book commission shall select a competent author or authors to perform the work
 13 of revision of the subject-matter of such book or books so ordered to be re-
 14 vised. The entire cost of such revision, including the manuscript, illustrations,
 15 engravings, maps and plates therefor, shall be paid by the contractor or con-
 16 tractors, who may, at the time of such revision, be required to furnish such
 17 book, or books, under their contract with the State. The cost and expense, how-
 18 ever, of such revision shall first be agreed upon by the State School Book Com-
 19 mission and the contractor or contractors, before such work of revision is com-
 20 menced: *Provided*, if said commission and contractor or contractors shall, for
 21 a period of sixty (60) days after an estimate of the cost of any proposed re-
 22 vision has been furnished by such State commission to the contractor, be unable
 23 to agree upon an amount which, in the opinion of such State commission,
 24 would be necessary to cover the cost of any such revision, then the said
 25 State commission may advertise for bids from publishers of school books for
 26 furnishing any such book or books, the cost of revision of which could not be
 27 agreed upon; and in such advertisement, selecting and contracting for such
 28 book or books, the said commission shall be governed by the provisions respect-
 29 ing such matters hereinbefore specified.

Sec. 9. Whenever the revision of any book or series of books shall be de-
 2 termined upon by the State School Book Commission, and they shall have con-
 3 tracted with an author or authors to furnish the manuscript for such revision,
 4 sufficient time shall be given to the author in which to perform the work of re-
 5 vising the subject-matter of such book to the acceptance and satisfaction of such
 6 commission, and when the revision of the subject-matter of any such book is
 7 completed by the author, and the manuscript thereof furnished to the contractor
 8 at least six months' time shall be given the contractor in which to make the
 9 necessary illustrations, engravings, maps and plates, manufacture and ship the
 10 books to the various school districts of the State, before any such contractor
 11 shall be required to furnish any such book or series of books so revised, for
 12 use in the schools of the State under his contract; and no new book, or re-

vised book, or series of books shall be introduced for use in the schools of the State at any time by virtue of the provisions of this Act, until the State School Book Commission shall have given notice to the county superintendent of schools, trustees or directors of schools and boards of education of the State, by printed notice, mailed to each of said school officers, last above named, at least twelve (12) months in advance of the time when such book or series of books are to be used in the public schools; and like notice shall be given by said county superintendent of schools, trustees or directors of schools and boards of education to all merchants and dealers in their respective school districts, who may be selling the adopted books; and it shall be the duty of the State Superintendent of Public Instruction and the county superintendents of schools of each county to scale down to the minimum number all requisitions for school books, which may be made after such notice is given, thereby enabling all trustees or directors of schools or boards of education and dealers to dispose of the stocks of books in their hands. But no dealer shall buy or carry on hand at any time more books than are actually needed to supply the demands therefor, for the purpose or with the intent of preventing the introduction of any new or revised book, according to the spirit of this Act. And for the purpose of enabling the State Superintendent of Public Instruction to determine when any requisition should be scaled down in anticipation of the expiration of any existing contract, it shall be the duty of the contractor to furnish to said State Superintendent a copy of the quarterly verified reports made by county superintendents of schools to the contractor, giving the number and kind of books on hand with the various dealers and school trustees, school directors and boards of education of their respective counties. And at the expiration of such notice, such book or books shall only be required to be introduced in the schools as new classes in the study of such branches are being formed, and all classes in such study or studies, which at the time of the expiration of the term of such notice, shall have purchased books for use in such classes, shall be allowed time to complete such books before being compelled to buy new or revised books. And at the expiration of any contract now in existence, or which

44 may hereafter be made by the State School Book Commission for furnishing
45 books for use in the common schools of the State of Illinois, the books then in use
46 in the common schools of this State under such contract or contracts shall be
47 continued in use therein at the same price and upon the same terms and condi-
48 tions until such time or times as the State School Book Commission shall de-
49 termine that a revision thereof is necessary for the best interests of the schools,
50 when such revision shall be made, or a new book contracted for and introduced
51 for use in the schools as hereinbefore specified: *Provided*, that at the expiration
52 of any such contract the State School Book Commission shall require such con-
53 tractor or contractors furnishing such books to execute a new bond, condi-
54 tioned that they will continue to execute such contract in all regards as they
55 had theretofore executed the original contract: *Provided, further*, that nothing
56 herein contained shall be construed as restraining or preventing said State
57 School Book Commission, after any such school book or any such revised book,
58 shall have been in use in the schools of the State for a period of five (5) years,
59 from proposing to the contractor furnishing the same, such reduction in the
60 price at which such book or revised book shall be continued in use in the schools
61 for the next ensuing five (5) years, as in the judgment of said commission may
62 seem reasonable. If such contractor shall accede to such proposed reduction,
63 then the price of such book or revised book shall for such ensuing period of
64 five (5) years be fixed at the original contract price thereof less the amount
65 of the reduction so agreed upon, and such price shall be printed on the back of
66 said book as now required by law. In event said contractor shall not be willing
67 to accede to such terms, the said commission may appoint a disinterested per-
68 son conversant with such matters, and require the said contractor to select an-
69 other such person, and the two so chosen shall select a third, and thereupon,
70 the three so chosen shall inquire into and consider what, if any, reduction
71 ought to be made in the price at which such book or revised book should be fur-
72 nished for use in the schools of the State for the next ensuing period of five (5)
73 years; and if they shall determine that any such reduction ought to be made,
74 they shall fix the amount of such reduction, and shall certify to said commis-

sion and to such contractor their determination in that behalf. And there-
upon, if said contractor shall accede to the price thus arrived at, the price of
said book for the next ensuing five (5) years shall be fixed at that sum, and
the same shall be printed on the back of such books as is hereinbefore pro-
vided; and said contractor shall be required to furnish the same at such price,
but otherwise, in all regards, under the provisions of this Act. But if such con-
tractor shall decline to accede to such price thus arrived at, then such com-
mission shall have the right, in their discretion, to proceed to advertise for bids
to furnish a book in the place thereof, and in so doing, and in all subsequent
steps therein, they shall proceed in accordance with the provisions of this Act:
And provided, further, that nothing in this Act contained shall be construed
to prevent the State School Book Commission from exercising their discretion
in deciding whether they shall order any of the books already in use under con-
tract to be revised, or whether instead they shall advertise for books to be
adopted instead of said books already in use.

Sec. 10. Whenever any book or series of books shall be revised by order of
the State School Book Commission, such book or books, when completed and
ready for use in the schools shall be equal in every respect to the standard
now fixed by law as to subject-matter, material, style of binding and mechan-
ical execution, and said State commission when contracting for any such revis-
ion shall require the contractor or contractors to enter into a written agreement
for the furnishing of such books, and to execute bond with resident freehold
sureties or surety company bond to the acceptance of the Governor of this
State, for the faithful compliance with their contract, such bond to be in such
amount as said commission shall deem sufficient for the purposes contem-
plated.

Sec. 11. If at any time the State School Book Commission shall find that
the bond of any contractor, contracting to furnish books for use in the common
or high schools of the State of Illinois, under this Act, has become insufficient
to secure the faithful performance of such contract, or from any other reason

5 become inoperative, they shall have the right to require such contractor to exe-
 6 cute a new and sufficient bond to secure the faithful execution of such con-
 7 tract; and upon failure of any such contractor to furnish such new bond within
 8 thirty (30) days after being so required by said commission, the said commis-
 9 sion shall give notice thereof to the Attorney General of the State of Illinois, who
 10 shall immediately, upon receipt of such notice, bring suit to procure the cancell-
 11 ation of such contract of such contractor so refusing, and service of summons
 12 in such cause upon the agent of such contractor in the State of Illinois shall
 13 be deemed and held to be sufficient service upon the contractor.

Sec. 12. The books which may hereafter be adopted by the State of Illinois
 2 for use in its common or high schools by virtue of this Act, shall be uniformly
 3 used in all the common and high schools of the State, in teaching the branches
 4 of learning treated of in such books; and it shall be the duty of the proper school
 5 officers and authorities to use in such schools such books for teaching the sub-
 6 jects treated in them.

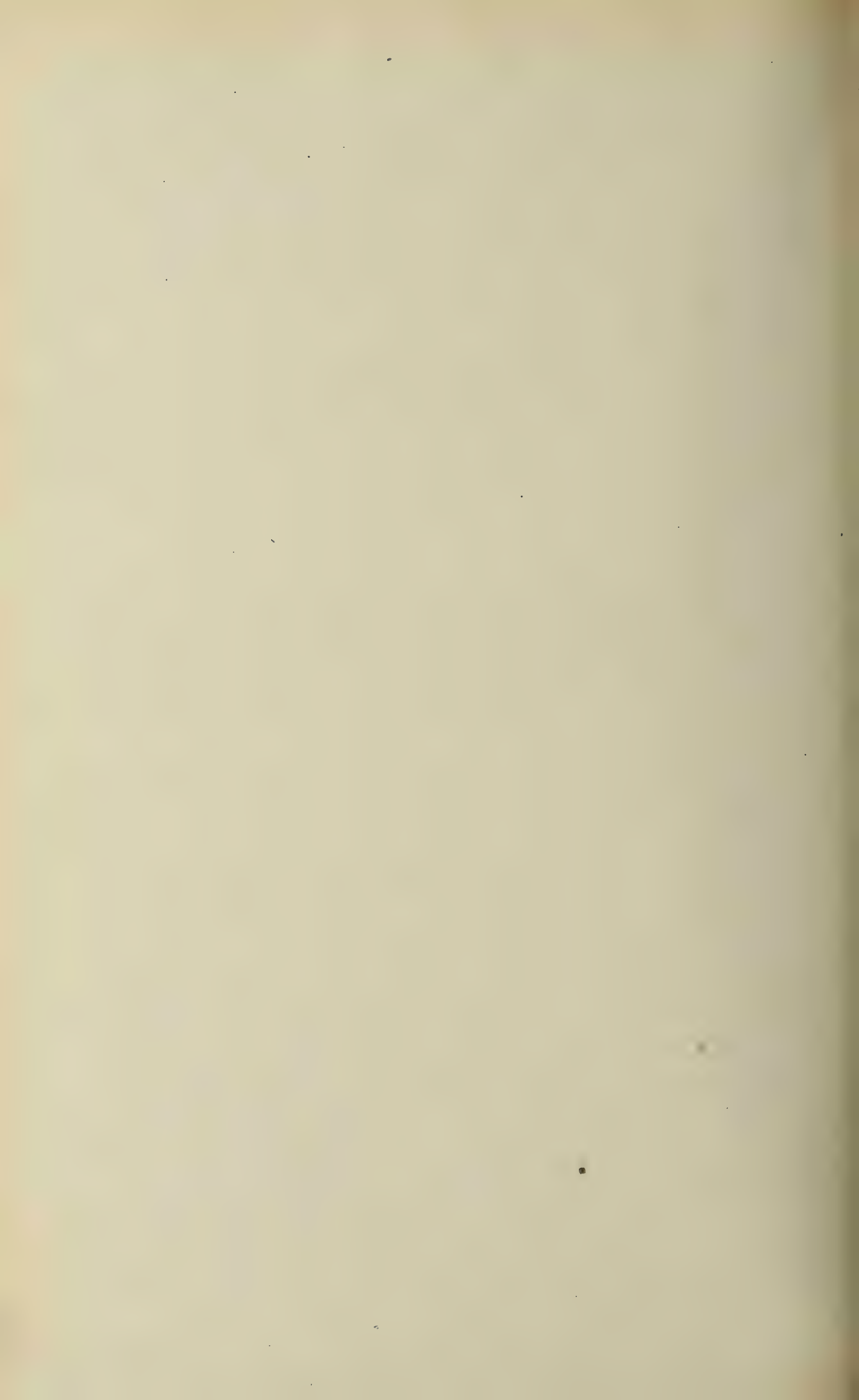
Sec. 13. It shall be the duty of all merchants or dealers, who may be sup-
 2 plied with books by virtue of the provisions of this Act, to furnish the school
 3 trustees, school directors, or boards of education of whom such books may have
 4 been purchased and received, with a detailed statement of the number of books
 5 of each kind on hand on the fifteenth (15) day of May of each year, and at
 6 such other times during the year as the same may be called for by such school
 7 officers; and any merchant or dealer who shall refuse for the period of ten
 8 (10) days after request to do so, by any duly authorized school officer entitled
 9 to receive the same, to furnish such statement as above provided, shall not be
 10 entitled thereafter to purchase or sell any school books under the provisions
 11 of this Act; and upon receipt of any such report it shall be the duty of such
 12 school officers or board to forthwith transmit a copy thereof to the county
 13 superintendent of schools, who shall within five (5) days after the receipt of
 14 any such report transmit a copy thereof to the contractor, for which reports the
 15 contractor shall furnish necessary blanks.

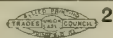
Sec. 14. It shall be the duty of the respective school trustees, school directors and boards of education to furnish the necessary school books so far as they may be adopted by the State, to all such poor or indigent children as may desire to attend the common or high schools of their district, as in their opinion would be otherwise unable to attend such schools.

Sec. 15. It shall be the duty of any person or persons, firm or corporation who may hereafter furnish and supply books under the provisions of this Act, to print in large letters upon the outside of the first cover of each book so furnished and supplied by him or them, the name of the adopted book, and upon the outside of the back cover, the price at which such book is furnished to be sold to pupils, under such contract; and it shall be the duty of all county superintendents of schools, school trustees, school directors, boards of education and other school officers and school teachers to see that all books so furnished to pupils, and bought by pupils for use in the schools of the State shall bear such intent: *Provided*, this section shall not apply to copy-books.

Sec. 16. When a family removes from one school district to another within the State, the treasurer of the district shall purchase, out of the contingent fund, the text-books in actual use by the children of the family at a fair price, based on the condition of the books; the said books to be re-sold, when necessary, to other pupils moving into the said district.

Sec. 17. It shall be the duty of the State Superintendent of Public Instruction, immediately upon the passage of this Act, to cause to be printed a sufficient number of copies thereof, to furnish each county superintendent of schools, school trustee, school director and member of school boards of education in the State of Illinois, with one copy thereof, and promptly to distribute the same to such school officers through the county superintendents of schools.





- 1 Introduced by Mr. Scholes, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

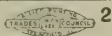
For an Act to amend "An Act to revise the law in relation to the sentence and commitment of persons convicted of crime, and providing for a system of parole, and to provide compensation for the officers of said system of parole," approved April 21, 1899, in force July 1, 1899, as subsequently amended by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to the sentence and commitment of persons convicted of
4 crime, and providing for a system of parole, and to provide compensation for
5 the officers of said system of parole," approved April 21, 1899, in force July
6 1, 1899, as amended by all subsequent Acts amendatory thereof, be and the
7 same is hereby amended by amending section one (1) thereof so that said
8 section when amended shall read as follows:

9 Sec. 1. That every male person over twenty-one years of age, and every
10 female person over eighteen years of age, who shall be convicted of a felony
11 or other crime punishable by imprisonment in the penitentiary, except treason,

12 murder, *manslaughter*, rape and kidnapping, shall be sentenced to the peni-
13 tentiary, and the court imposing such sentence shall not fix the limit or dura-
14 tion of the same, but the term of such imprisonment shall not be less than one
15 year, nor shall it exceed the maximum term provided by law for the crime of
16 which the prisoner was convicted, making allowance for good time, as now pro-
17 vided by law.

Sec. 2. WHEREAS, an emergency exists, therefore, this Act shall be in force
2 and effect immediately after its passage and approval by the Governor.



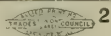
- 1 Introduced by Mr. McGloon, March 31, 1915. ,
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to regulate and control the business of life insurance.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That no life insurance company, or its
3 assignees, shall have the right to inquire into the truth or accuracy of any of
4 the statements or representations of the assured, in any policy of life insurance
5 upon which statement or representations said policy of insurance was issued to
6 the assured, after the lapse of two full years from the date of issuance of said
7 policy of insurance, during which said time said policy has been in force and
8 all premiums, assessments and charges kept up and paid by or for the assured.
9 That is to say, after the lapse of said two years from the date of issuance of
10 said policy of insurance, during which time all premiums, charges or assess-
11 ments have been kept up and paid by or for the assured, said policy of insur-
12 ance shall be presumed in law, and shall be, incontestable, in so far as question-
13 ing the truth or accuracy of any previously made or given statement or an-
14 swer of the assured in said policy is concerned.



- 1 Introduced by Mr. Turner, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for an appropriation to complete the Eighth Infantry Armory at
Chicago.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of seventy-five thousand
3 (75,000) dollars, or so much thereof as shall be necessary, be and hereby is ap-
4 propriated to complete the Eighth Infantry Armory at Chicago provided for
5 by an Act entitled, "An Act in relation to procuring sites and for the erection
6 of Armory Buildings for the use of the Illinois National Guard and Illinois
7 Naval Reserve, and making an appropriation," approved June 9, 1911, and an
8 Act entitled, "An Act appropriating to the Armory Commission moneys paid
9 into the State treasury by the City of Chicago on account of the purchase of a
10 tract of land heretofore conveyed to the Armory Commission for an armory site
11 for the use of Eighth Infantry National Guard," approved June 21, 1913,
12 but which is not completed and which cannot be completed without further ap-
13 propriations as provided herein.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 upon presentation of proper vouchers certified to by the Adjutant General and
3 approved by the Governor to draw his warrants upon the State Treasurer for
4 the amount herein appropriated, and the State Treasurer is hereby authorized
5 and directed to pay the same out of any funds in the State treasury not other-
6 wise appropriated.



- 1 Introduced by Mr. Turner, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend the title and sections 1 and 2 of an Act entitled, "An Act to protect all citizens in their civil and legal rights, and fixing a penalty for violation of the same," approved June 10, 1885, enforced July 1, 1885, as amended by an Act approved May 15, 1903, enforced July 1, 1903, as amended by an Act approved June 5, 1911, enforced July 1, 1911; and by further amending said Act as amended by adding thereto two additional sections to be known as sections 5 and 6, respectively, and for the repeal of all Acts in conflict therewith.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the title and sections 1 and 2 of an
3 Act entitled, "An Act to protect all citizens in their civil and legal rights and
4 fixing a penalty for the violation of the same," approved June 10, 1885, en-
5 forced July 1, 1885, as amended by an Act approved May 15, 1903, enforced
6 July 1, 1903, as amended by an Act approved June 5, 1911, enforced July 1,
7 1911, be and the said title of said Act and the said sections 1 and 2 thereof
8 are hereby amended, and said Act as amended is hereby further amended by
9 adding thereto two additional sections to be known as sections 5 and 6, and for
10 the repeal of all Acts in conflict therewith, so as to read respectively as follows:

11 That the title of said Act be amended so as to read as follows: "An Act
12 to protect all citizens and persons in their civil and legal rights and fixing a
13 penalty for the violation of the same."

14 Sec. 1. That all persons within the jurisdiction of the State of Illinois
15 shall be entitled to the full and equal enjoyment and treatment of the accom-
16 modations, advantages, facilities, uses, service and privileges of any and all
17 places of public accommodation, amusements, resorts, educational training, hos-
18 pitals, and also any and all inns, restaurants, bicycle rinks, schools, educa-
19 tional institutions, automobiles, motor vehicles, taxicabs, busses, eating houses,
20 hotels, soda fountains, saloons, barber shops, bath rooms, bathing establish-
21 ments, theatres, skating rinks, concerts, concert halls, music halls, cafes, ele-
22 vators, passenger elevators, ice cream parlors or rooms, railroads, omnibuses,
23 stages, coaches, street cars, boats, funeral hearses, parks, halls, buildings, of-
24 fices, and public conveyances on land and water and all other places of public
25 accommodations, amusement, resort, or educational training and equal treatment
26 thereof, subject only to the conditions and limitations established by law and
27 applicable alike to all citizens and persons.

28 No person, being the owner or lessee, proprietor, manager, superintend-
29 ent, agent, representative, servant or employee of any such place, establish-
30 ment, institution or thing hereinbefore or hereinafter mentioned or referred to
31 shall, directly or indirectly or by subterfuge, refuse or withhold from, or deny
32 to any person any of the accommodations, advantages, facilities, uses, service,
33 privileges or equal treatment thereof or directly or indirectly publish, circulate,
34 issue, display, post or mail any written, printed communication, notice or ad-
35 vertisement, to the effect that any of the accommodations, advantages, uses,
36 service, facilities, or privileges of any such place, establishment or thing here-
37 inbefore mentioned or referred to and the equal treatment thereof, shall be re-
38 fused, withheld from or denied to any person on account of race, creed or color,
39 or that the patronage or custom thereat of any person belonging to or pur-

40 porting to be of any particular race, creed or color is unwelcome, objectionable
41 or not acceptable, desired or solicited.

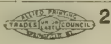
42 The production of any said written or printed or partly written and printed
43 communication, notice or advertisement, relating or purporting to relate to any
44 such place, establishment, institution, or thing hereinbefore mentioned or re-
45 ferred to and to be made by any such person being the owner, lessee, pro-
46 prietor, manager, superintendent, agent, representative, servant or employee
47 thereof, shall be presumptive evidence in any civil or criminal action that the
48 same was authorized by such person.

49 Nothing herein contained shall be construed to prohibit the mailing of a
50 private communication in writing sent in response to a specific written inquiry.

Sec. 2. That any person who shall violate any of the provisions of the
2 foregoing section or who shall aid, abet, assist or incite the violation of any of
3 said provisions by denying to any person or citizen, except for reasons applic-
4 able alike to all citizens and persons, of every race, creed or color, and regard-
5 less of race, creed or color, the full enjoyment of any of the accommodations, ad-
6 vantages, uses, facilities, privileges, service and equal treatment thereof in said
7 section mentioned or enumerated or referred to therein, shall for every such of-
8 fense and for each and every violation thereof forfeit and pay not less than one
9 hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) to
10 the person aggrieved thereby or to be recovered by any resident of this State
11 to whom such person shall assign his cause of action, in any court of competent
12 jurisdiction in the county in which the plaintiff or defendant shall reside or in
13 the county where such offense was committed and shall also for such offense be
14 deemed guilty of a misdemeanor and upon conviction thereof shall be fined not
15 less than one hundred dollars (\$100.00) nor more than five hundred dollars
16 (\$500.00), or shall be imprisoned not less than thirty days nor more than one
17 year, or both such fine and imprisonment.

Sec. 5. That the invalidity of any part of this Act shall not affect the
2 validity of any other part thereof which can be given effect without such in-
3 valid part.

Sec. 6. That all Acts and parts of Acts in so far as they are in conflict with
2 this Act are hereby repealed.



- 1 Introduced by Mr. Igoe, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act in relation to public finances and to repeal certain Acts and parts of Acts therein named.

TITLE I.

OFFICERS AND OFFICIAL BODIES.

ARTICLE 1.

STATE FINANCE COMMISSION.

(a) *Organization—Powers and Duties.*

SECTION

- 1. State Finance Commission.
- 2. Oath of Office — Bonds — Salaries and Expenses.
- 3. Seal—Copies of Records—Books of Account—Evidence.
- 4. Office—Supplies—Meetings.
- 5. Officers and Employees.
- 6. State Board of Equalization Abolished.
- 7. General Powers and Duties.
- 8. Witnesses — Immunity — Failure to Respond—Depositions.
- 9. To Provide for Casual Deficits or Failures in Revenue.

SECTION

- 10. Issue of Warrants in Anticipation of Taxes—Interest.
(b) *State Comptroller.*
- 11. State Comptroller—General Powers and Duties.
(c) *Tax Commissioner.*
- 12. Tax Commissioner--General Powers and Duties.
(d) *Revenue Commissioner.*
- 13. Revenue Commissioner — General Powers and Duties.
- 14. Deputy Revenue Commissioners—Oath—Bond—Salary.
- 15. Districts—Assignment of Deputies.

ARTICLE 2.

STATE TREASURER.

SECTION

16. Bond.
17. Oath.
18. Failure to Give Bond or Take Oath.
19. Suit on Bond.
20. Seal—Copies of Records, Etc., Evidence.
21. Treasurer to Keep Moneys.
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- 419. Personal Liabilities of Devisees, Legatees and Beneficiaries.
- 420. Powers and Liabilities of Administrators, Executors and Trustees.
- 421. Foreign Administrator, Executor or Trustee of Stock or Obligations in this State—Transfer of Securities, Deposits or Other Assets to Representatives or Survivors of Decedent—Right of State Treasurer and Revenue Commissioner to Examine—Penalty.

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- 422. Proceedings When Tax Has Not Been Paid—Duty of Attorney General.
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- 424. When Infant Interested, Judge to Appoint Special Guardian.
- 425. Certified Copies Material in the Appraisement Furnished by Clerk—Fees.
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- 427. Revenue Commissioner Taking Fee or Reward—Penalty.
- 428. Collections and Statements.
- 429. Payments to State Treasurer — How Made.
- 430. Books to be Kept by the Revenue Commissioner.
- 431. When Portion of Tax Repaid to Legatee—Refund of a Portion of the Legacy.
- 432. When Tax Paid Erroneously.
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444. Claims—Filing Statement—Hearing.
 445. Costs.
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 456. Statements and Reports.
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A BILL

For an Act in relation to public finances and to repeal certain Acts and parts of Acts therein named.

TITLE I.

Officers and Official Bodies.

ARTICLE I.

STATE FINANCE COMMISSION.

(a) *Organization—Powers and Duties.*

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* STATE FINANCE COMMISSION.] There is
3 hereby created a State Finance Commission, to consist of the Auditor of Public
4 Accounts and the State Treasurer, *ex officio*; and of three other members who
5 shall be appointed by the Governor, by and with the advice and consent of the
6 Senate, one as State Comptroller, one as Tax Commissioner and one as Revenue
7 Commissioner. The first appointments shall be made on or before January
8 15, 1917. The State Comptroller shall hold office for a term of four years, and
9 the Tax Commissioner and Revenue Commissioner shall each hold office for a term
10 of six years, from January 15 in the year of their appointment, and until their
11 successors are appointed and qualified. No appointed member may serve on
12 or under any committee of any political party, nor hold any other office under
13 the laws of the State of Illinois, or any other state, or of the United States;
14 nor shall any such member engage in any other occupation or business while a
15 member of the commission.

Sec. 2. OATH OF OFFICE—BONDS—SALARIES AND EXPENSES.] Each Commis-

sioner and each person appointed to office by any commissioner, before entering upon the duties of his office, shall take and subscribe the constitutional oath of office.

Each appointed member, before entering upon the duties of his office, shall give bond, with security to be approved by the Governor, in such amount as shall be fixed by the Governor, conditioned on the faithful performance of his duties, which bond shall be filed in the office of the Secretary of State. Every person appointed or employed by the commission, or by any appointed member, may, in the discretion of the commission, before entering on the duties of his office or employment, be required to give bond for the faithful performance of his duties, in such sum as the commission may designate, such bond to be approved by the commission.

The State Comptroller shall receive an annual salary of seven thousand five hundred (\$7,500) dollars; the Tax Commissioner and the Revenue Commissioner shall each receive an annual salary of six thousand (\$6,000) dollars; the Auditor of Public Accounts and the State Treasurer shall receive the annual salary provided by law for those offices respectively. The commissioners and their officers, agents, clerks and assistants shall be entitled to their actual and necessary traveling and other expenses incurred in the discharge of their official duties.

Sec. 3. SEAL—COPIES OF RECORDS—BOOKS OF ACCOUNT—EVIDENCE.] The State

Finance Commission shall keep an official seal, which shall be used to authenticate all writings, papers, and documents and accounts required by law to be certified from its office; and copies of all records, writings, papers and documents legally in its keeping, when certified by the State Comptroller and authenticated by the official seal of said commission, shall be received in evidence in the same manner and with like effect as the originals.

Sec. 4. OFFICE—SUPPLIES—MEETINGS.] The State Finance Commission

shall be provided with suitable rooms in the State capitol, and with all necessary printing, printing paper, stationery and other office supplies. The office of

4 the commission shall be open each business day in the year from nine (9) o'clock
5 A. M. to five (5) o'clock P. M. The commission may hold sessions and conduct
6 investigations at any place other than the State capitol when deemed necessary
7 to facilitate the performance of its duties. A majority of the commission shall
8 constitute a quorum for the transaction of business and the performance of the
9 duties of the commission. The documents and records of the said commission
10 shall be public records, and shall at all times during business hours be open to
11 any person for inspection and examination; and any person may copy and take
12 memoranda therefrom without fee or reward.

Sec. 5. OFFICERS AND EMPLOYES.] The State Finance Commission shall have
2 power to appoint such experts, clerks and assistants as it may deem necessary,
3 subject to the civil service laws of the State; and to define the duties and deter-
4 mine the compensation of such officers and employees: *Provided*, that the Gover-
5 nor shall have power by order to exempt from the classified civil service, such
6 positions of administrative responsibility as it is found to be impracticable to
7 fill by competitive examination. The Attorney General shall appoint, with the
8 approval of the Governor, an attorney or attorneys for the State Finance Com-
9 mission.

Sec. 6. STATE BOARD OF EQUALIZATION ABOLISHED.] From and after the ex-
2 piration of the terms of office of the present members of the State Board of
3 Equalization, the said State Board of Equalization shall be abolished and the
4 offices of the members thereof shall terminate and no members of such board
5 shall be elected in November, 1916, or thereafter. The said State Finance Com-
6 mission shall become successor to the State Board of Equalization and there-
7 upon all the power and authority and duties vested in or conferred upon said
8 State Board of Equalization, shall, except as in this Act otherwise provided,
9 devolve upon and thenceforth be exercised and performed by said State Finance
10 Commission. All proceedings, hearings or other matters then pending before
11 said State Board of Equalization, except such matters as are by this Act other-
12 wise provided, shall be continued, carried on and completed by and before said
13 State Finance Commission. All records, books, papers, documents and mem-

14 oranda and all office equipment, materials and supplies of such board in the
 15 official custody or possession of said board or any of its officers or members
 16 shall be transferred to said commission as its successor for all purposes and
 17 said State Finance Commission shall thereupon have official possession and cus-
 18 tody of the same.

Sec. 7. GENERAL POWERS AND DUTIES.] The State Finance Commission shall

2 have power and it shall be its duty:

3 (1) To exercise general supervision over the administration of the laws of
 4 this State relating to public finances;

5 (2) To approve and prescribe, from time to time, forms for books, ac-
 6 counts, and records for State and local officers for the assessment of property
 7 and the levy, extension and collection of taxes and other revenues, and in such
 8 cases as may be provided by law for the handling, disposition and expenditure of
 9 public funds; to require financial and statistical reports from such officers; and
 10 to order the examination and investigation of their books and accounts;

11 (3) To prescribe from time to time such general and uniform rules and
 12 regulations, and to issue such orders and instructions, not inconsistent with
 13 any provision of law, as it may deem necessary, prescribing the manner of exer-
 14 cising the powers and discharging the duties of any and all officers relating to
 15 the assessment of property for taxation and the levy, extension and collection
 16 of taxes and other revenues, and in such cases as may be provided by law, for
 17 the handling, disposition and disbursement of public moneys and the methods of
 18 keeping accounts thereof;

19 (4) To hear and determine appeals from the action of the county boards
 20 of taxation;

21 (5) To review and correct the tax commisisoner's assessment of the prop-
 22 erty of railroads and the capital and other property of public utilities and of
 23 companies and associations other than those incorporated for purely manufac-
 24 turing or mercantile purposes, or for either of such purposes, or for the mining
 25 and sale of coal or for printing, or for publishing of newspapers or for the
 26 improving and breeding of stock, and other than banks, insurance companies and

27 mutual building, loan and homestead associations, and to assess such property
28 when not assessed by the tax commissioner;

29 (6) To equalize assessments and the valuation of property as provided by
30 law;

31 (7) To require individuals, partnerships, associations and corporations to
32 furnish information concerning the capital stock, funded or other debts and as-
33 sets and liabilities of corporations, and concerning all taxable and other prop-
34 erty or interests and all other facts required by law or which may be needful to
35 ascertain the relative burden of taxation borne by all kinds of property in the
36 State;

37 (8) To order proceedings and prosecutions against public officials and of-
38 ficers or agents of corporations and others for neglect or failure to comply with
39 the provisions of this Act or the orders of the commission;

40 (9) To order investigations at any time on its own initiative, of the effi-
41 ciency of the administration of this Act and the tax, revenue and other finance
42 laws of the State;

43 (10) To appoint special assessors and direct the reassessment of property
44 in any taxing district where it appears, on complaint and after investigation,
45 that the original assessment was substantially unjust or inequitable;

46 (11) To determine the State tax rate as hereinafter provided;

47 (12) To confer with the Governor on the subject of taxation, revenue, the
48 administration of this Act and other laws relating to public finances and to pro-
49 vide him with such information thereon as he may require;

50 (13) To inquire into the tax, revenue and other finance laws and their oper-
51 ation in other states and countries, and to recommend to the Governor such
52 changes in the laws of the State as seem expedient; and to inquire especially into
53 the provisions of the laws of other states regarding jurisdiction and situs of
54 property for purposes of taxation, and to confer with the tax officials of other
55 states regarding the best methods of assessing all property and avoiding con-
56 flicts and duplication of taxation of the same property, and the most effectual

57 and equitable methods of assessment, and to recommend to the Governor such
 58 measures as will tend to bring about uniformity of methods of assessment and
 59 harmony and co-operation between the different states in matters of taxation;

60 (14) To hear and determine claims against the State as hereinafter more
 61 fully provided;

62 (15) To publish an annual report of its proceedings and decisions, with
 63 statistics of taxation, revenue and expenditures; and to report biennially to the
 64 Governor, not later than December 1st before the regular session of the Gen-
 65 eral Assembly, with recommendations for changes in the tax, revenue and other
 66 finance laws, which report shall be transmitted to the General Assembly;

67 (16) To make all reasonable rules and regulations relating to practice and
 68 procedure at or in connection with its meetings, investigations and hearings,
 69 and to carry out all of the purposes for which the commission is created.

Sec. 8. WITNESSES—IMMUNITY—FAILURE TO RESPOND—DEPOSITIONS.] The
 2 State Finance Commission, and each member and officer thereof when so directed
 3 by the commission, shall have power and authority to summon witnesses to appear
 4 and give testimony under oath or affirmation and require them to produce rec-
 5 ords, books, papers and documents relating to any matter which the commission
 6 or any such member or officer when so directed shall have authority to investi-
 7 gate or determine. In any matter under investigation by or consideration of
 8 the commission, or any member or officer thereof, oaths or affirmations may
 9 be administered by any member or officer thereof. All subpoenas issued here-
 10 under may be served by any person of full age, and shall be served in the same
 11 manner as those issued out of a court of record. In the discretion of the com-
 12 mission, officers who serve summons or subpoenas and witnesses attending shall
 13 receive like compensation as officers and witnesses in the circuit court. Such
 14 witness fees are to be paid when the witness is excused from further attendance,
 15 where the witness is subpoenaed at the instance of the commission or any mem-
 16 ber or officer thereof as above provided; in other cases, the commission may
 17 require that the cost of service of the subpoena and the witness fee shall be
 18 borne by the party at whose instance the witness is summoned. No person shall

19 be excused from testifying or from producing any such records, books, papers
20 and documents in any such investigation, inquiry or hearing ordered by the
21 commission, when ordered to do so by the commission or any member or officer
22 thereof, upon the ground that the testimony or evidence, documentary or other-
23 wise, may tend to incriminate him, or subject him to a penalty or forfeiture
24 for or on account of any transaction, matter or thing concerning which he may
25 testify or produce evidence, documentary or otherwise, before the commission
26 or any member or officer thereof: *Provided*, that such immunity shall extend
27 only to a natural person, who in obedience to a subpoena, gives testimony under
28 oath or produces evidence documentary or otherwise, under oath. No person so
29 testifying shall be exempt from prosecution and punishment for perjury commit-
30 ted in so testifying.

31 Any person who shall be served with a subpoena to appear and testify, or to
32 produce records, books, papers or documents, issued by the commission or by any
33 member or officer thereof when directed by the commission, in the course of an
34 investigation, inquiry, or hearing conducted by the commission, or any member
35 or officer thereof, and who shall refuse or neglect to appear or to testify, or to
36 produce records, books, papers or documents, relevant to such investigation, in-
37 quiry or hearing as commanded in the subpoena, shall be guilty of a misde-
38 meanor.

39 Any circuit court of this State or any judge thereof, either in term time or
40 vacation, upon application of the commission, or a member or officer thereof,
41 may, in his discretion, compel the attendance of witnesses, the production of
42 records, books, papers or documents, and the giving of testimony before the
43 commission or before any such member or officer thereof as herein provided,
44 by an attachment for contempt or otherwise, in the same manner as the produc-
45 tion of evidence may be compelled before such court.

46 The commission or a member or an officer thereof or any party may in any
47 investigation, inquiry or hearing before the commission or any member or officer
48 thereof as herein provided, cause the deposition of witnesses residing within or
49 without the State to be taken in the manner prescribed by law for like depositions

50 in civil actions in the courts of this State, and to that end may compel the at-
 51 tendance of witnesses and the production of records, books, papers and docu-
 52 ments relating to any matter which the commission or such member or officer shall
 53 have authority to investigate or determine.

Sec. 9. TO PROVIDE FOR CASUAL DEFICITS OR FAILURES IN REVENUES.] Whenever
 2 casual deficits or failures in revenues of the State occur, in order to meet the
 3 same, the State Finance Commission, with the approval of the Governor, is
 4 hereby authorized to contract debts, never to exceed in the aggregate the sum of
 5 two hundred and fifty thousand dollars, and moneys thus borrowed shall be ap-
 6 plied to the purpose for which they were obtained, or to pay the debts thus cre-
 7 ated, and to no other purpose: *Provided*, that all moneys so borrowed shall be
 8 borrowed for no longer time than two years.

9 Whenever the borrowing of money under this section is contemplated, it
 10 shall be the duty of the State Finance Commission to advertise for proposals for
 11 such loan, for ten days, in one of the daily newspapers printed in each of the
 12 cities of New York, Chicago and Springfield, setting forth in said advertisements
 13 the amount of debt proposed to be contracted and the time and place for the
 14 payment of the principal and interest. And the loan shall be awarded to the
 15 person or persons agreeing to take it at the lowest rate of interest not exceeding
 16 five per cent per annum.

17 There shall be prepared under the direction of the State Finance Commis-
 18 sion such form of bonds or certificates as it shall deem advisable, which, when
 19 issued, shall be signed by the Governor, Auditor and Treasurer, and shall be
 20 registered by the Auditor in a book to be kept by him for that purpose. The
 21 interest and principal of such loan shall be paid by the Treasurer out of the
 22 general revenue fund.

Sec. 10. ISSUE OF WARRANTS IN ANTICIPATION OF TAXES—INTEREST.] Whenever
 2 there is not sufficient money in the State treasury to meet and defray the or-
 3 dinary and necessary expenses of the State, it shall be lawful for the State
 4 Finance Commission to provide a fund to meet said expenses, by ordering the

5 issuance and disposition of warrants drawn against and in anticipation of any
 6 State tax levied for that year for the payment of the ordinary and necessary
 7 expenses of the State, not to exceed twenty-five (25%) per centum of the total
 8 amount of any such tax levied. Such warrants shall be signed by the Auditor
 9 of Public Accounts and countersigned by the State Comptroller and the State
 10 Treasurer, and shall show upon their face that they are payable solely from said
 11 tax when collected and not otherwise, and shall be received by any collector of
 12 taxes in payment of the tax against which they are issued, and the tax against
 13 which said warrants are drawn shall be set apart and held for their payment.
 14 Such warrants shall, unless paid within thirty (30) days after their issuance,
 15 bear interest, payable only out of the tax against which they shall be drawn, at
 16 the rate of five (5%) per centum per annum from the date of their issuance
 17 until paid, or until notice shall be given by publication in a newspaper or other-
 18 wise, that the money for their payment is available, and that they will be paid
 19 on presentation; unless a lower rate of interest shall be specified in the warrants,
 20 in which case the interest shall be paid and computed at such lower rate.

(b) *State Comptroller.*

Sec. 11. STATE COMPTROLLER—GENERAL POWERS AND DUTIES.] The State
 2 Comptroller shall be chairman of the State Finance Commission. He shall be
 3 its chief executive officer and shall have direct supervision of all matters re-
 4 quiring action by the commission. All such matters shall be transmitted to the
 5 State Comptroller, and by him laid before the commission, except as otherwise
 6 provided in this Act. The State Comptroller shall be specially charged with
 7 the preparation of estimates of revenues and appropriations to be submitted
 8 to the Governor before each regular session of the General Assembly.

9 On or before November 1st, before each regular session of the General As-
 10 sembly, every State officer, board, commission and institution, when requested
 11 by the State Comptroller, shall prepare and forward to the State Comptroller,
 12 directly or through the appropriate superior authority, a statement showing the
 13 revenues and expenditures for the two preceding fiscal years; the appropria-

tions made by the previous General Assembly, the expenditures therefrom and the amounts unexpended; an estimate of the revenues and expenditures of the current fiscal year; and an estimate of the revenues and the amounts needed for the respective offices, boards and institutions for the two years beginning on July 1, following, and of emergency and deficiency appropriations needful, if any. Such statement shall be made on forms prepared and subject to such rules and instructions issued by the State Comptroller, and approved and prescribed by the State Finance Commission. Such statements shall be compiled in tabular form by the State Comptroller, who shall have power to approve, disapprove and recommend appropriations within the limits of the estimates requested by the several State officers, boards, commissions and institutions. Such statements, with the recommendations of the State Comptroller relative thereto, shall be referred to the Governor. The Governor shall have printed and distributed to the members of the General Assembly, at the opening of the regular session or within thirty days thereafter, a statement showing the receipts and expenditures of the several State offices, boards and institutions for the two years ending on the previous September 30, the appropriations made by the preceding General Assembly, the expenditures therefrom and the amounts unexpended, the amounts recommended by him to be appropriated for the respective offices, boards and institutions, the estimated revenues from sources other than taxation, and an estimate of the amount required to be raised by taxation.

The State Comptroller shall have power to exercise supervision over the making of contracts, the purchase of supplies, and the determination of salaries, as may be provided by law. He shall examine all such bills and accounts against the State as may be referred to him by the Governor or may be made subject to his approval by law; and no such bill or account shall be allowed without his approval and certificate as to its correctness. In all such cases, he shall have power to cause an inspection to be made of the articles supplied and of the work and labor performed for the purpose of ascertaining that the prices, quality and amount of such articles or labor are fair and just; and that all requirements and obligations expressed or implied pertaining thereto have

45 been complied with. All State officers, boards and commissions are hereby di-
 46 rected and required to render such assistance to the State Comptroller as may
 47 be necessary for such inspection.

48 The State Comptroller shall formulate systems of bookkeeping and account-
 49 ing for State offices, subject to the approval of the State Finance Commission.

50 The State Comptroller shall have power, and when directed by the Gov-
 51 ernor or the State Finance Commission, it shall be his duty, personally or by
 52 authorized examiners and assistants, to examine the accounts and financial af-
 53 fairs of State officers, boards, commissions and institutions. He and his author-
 54 ized examiners shall have authority to enter any office subject to examination,
 55 and to inspect any books, papers or documents contained therein, and to compel
 56 the production of any books, papers or documents necessary for making such
 57 examination; and he shall have authority to issue subpoenas and to compel the
 58 attendance of any officer, deputy, employe or other person whose testimony may
 59 be required, and may administer oaths and require the testimony of witnesses
 60 under oath.

61 Not later than November 1st of each year the State Comptroller shall pre-
 62 pare and submit to the State Finance Commission a report on the acts and pro-
 63 ceedings of his office, and such report shall be included in the published reports
 64 of the State Finance Commission.

(c) *Tax Commissioner.*

Sec. 12. TAX COMMISSIONER—GENERAL POWERS AND DUTIES.] The Tax Com-
 2 missioner shall have power and it shall be his duty:

3 (1) To prepare forms, instructions, rules and regulations in relation to
 4 the assessment of property, and the levy and extension of taxes; and to for-
 5 ward from time to time copies of the revenue laws and such forms, instructions,
 6 rules and regulations as are approved and prescribed by the State Finance
 7 Commission to each county clerk for the use of such clerks and other officers;

8 (2) To confer with, instruct and advise county clerks, county treasurers,
 9 county boards of taxation and all local tax assessors, and other tax officers as

10 to their powers and duties, visiting each county as often as necessary and prac-
11 ticable, and giving his opinion on all questions as to the intent and meaning of
12 the laws relating to the assessment of property and the levy and extension of
13 taxes;

14 (3) To require individuals and corporations to furnish information as to
15 the capital, assets and liabilities of corporations and as to all taxable and
16 other property as required by law;

17 (4) To institute proceedings and prosecutions against public officials and
18 officers or agents of corporations and others for neglect or failure to comply
19 with the tax laws or the orders, rules and regulations of the State Finance
20 Commission relating to assessment and taxation;

21 (5) To investigate, at any time on his own initiative or at the direction of
22 the Governor or the State Finance Commission, the efficiency of the adminis-
23 tration of the laws for the assessment of property and the levy and collection of
24 taxes;

25 (6) To assess the railroad property denominated as "railroad track" and
26 "rolling stock," heretofore required by law to be assessed by the State Board
27 of Equalization, and as hereinafter more fully provided;

28 (7) To assess the capital and other property in the State, of public utili-
29 ties, and of companies and associations incorporated under the laws of this State
30 or of any other state or country (other than companies and associations incor-
31 porated for purely manufacturing or mercantile purposes, or for either of such
32 purposes, or for the mining and sale of coal or for printing or for publishing
33 newspapers, or for the improving and breeding of stock, and other than banks,
34 insurance companies, and mutual building, loan and home stead associations) as
35 hereinafter more fully provided;

36 (8) To receive and compile the abstracts of assessments transmitted by
37 the county clerks into tabular statements convenient for the use of the State
38 Finance Commission, also to prepare a statement showing the assessed value of
39 "railroad track," "rolling stock" and the capital and other property in the
40 State of public utilities and of companies and associations as hereinafter more

41 fully provided, and to submit such statements and the original abstracts to the
 42 said State Finance Commission at its first meeting to be held thereafter, to con-
 43 sider the equalization of assessments;;

44 (9) To certify to the county clerks of the several counties the decisions of
 45 the State Finance Commission on appeals from the county boards of taxation,
 46 the equalized value of property as determined by the State Finance Commission,
 47 and the assessed value of railroad property and the capital and other property
 48 of public utilities and companies and associations, as assessed by himself or
 49 as determined by the State Finance Commission, all as hereinafter more fully
 50 provided;

51 (10) To certify to the county clerks of the several counties and to the
 52 Auditor of Public Accounts the State tax rate as hereinafter more fully pro-
 53 vided;

54 (11) To report to the State Finance Commission not later than November
 55 1st of each year on the acts and proceedings of his office, with statistics of
 56 taxation and revenue, which report shall be included in the published reports of
 57 the State Finance Commission;

58 (12) To perform all such other acts and duties as may be required by
 59 law.

(d) *Revenue Commissioner.*

Sec. 13. REVENUE COMMISSIONER—GENERAL POWERS AND DUTIES.] The Rev-
 2 enue Commissioner shall have supervision and control of the appraisement, as-
 3 sessment and collections of all taxes, of gifts, legacies and inheritances, as here-
 4 inafter more fully provided, and of such other branches of the State revenue as
 5 may hereafter be placed under his control. He shall also have and exercise all
 6 the powers and duties of the Secretary of State as provided in an Act entitled,
 7 “An Act defining motor vehicles and providing for the registration of the same
 8 and of motor bicycles, and uniform rules regulating the use and speed thereof;
 9 prohibiting the use of motor vehicles without the consent of the owner and the
 10 offer or acceptance of any bonus or discount or other consideration for the pur-

11 chase of supplies or parts for any such motor vehicle or for work or repairs
 12 done thereon by others, and definding chauffeurs and providing for the exam-
 13 ination and licensing thereof, and to repeal certain Acts therein named," ap-
 14 proved June 10, 1911.

Sec. 14. DEPUTY REVENUE COMMISSIONERS—OATH—BOND—SALARY.] The Rev-
 2 enue Commissioner shall have power, with the approval of the Governor, by
 3 instrument in writing duly signed, to appoint such deputy revenue commis-
 4 sioners as may be necessary to aid in the appraisement, assessment and col-
 5 lection of the inheritance tax and other revenues assessed and collected by the
 6 Revenue Commissioner. Such deputy revenue commissioners shall be author-
 7 ized to act for and on behalf of the Revenue Commissioner in hearing evidence
 8 and determining the value of estates and the amount of the inheritance tax to
 9 which the same is liable, to issue subpoenas for, and to compel the attendance
 10 of witnesses, and to perform such other acts as may be authorized by the Rev-
 11 enue Commissioner, within the respective districts or portions thereof assigned
 12 to them.

13 Each of such deputy revenue commissioners shall, before assuming the
 14 duties of his office, file in the office of the Secretary of State the oath of office
 15 prescribed by the Constitution.

16 The Revenue Commissioner may require bonds or other securities from
 17 such deputies, to secure himself, but the Revenue Commissioner shall, in every
 18 respect, be responsible to the State, counties, estates, individuals, companies or
 19 corporations or any persons or bodies in interest, as the case may be, for all
 20 moneys collected and for every act done by any of his deputies, while acting as
 21 such, and for any omission of duty of such deputy. Any bond or security taken
 22 from a deputy by the Revenue Commissioner pursuant to this Act, shall be avail-
 23 able to the Revenue Commissioner, his representatives and securities, to indem-
 24 nify them for any loss or damage accruing from any act of such deputy.

25 Each deputy revenue commissioner shall receive a salary to be determined
 26 by the Revenue Commissioner, subject to the approval of the State Comptroller,

27 of not less than twenty-five hundred dollars (\$2,500) nor more than five thousand
28 dollars (\$5,000) per annum, payable monthly out of appropriations made there-
29 for.

Sec. 15. DISTRICTS—ASSIGNMENT OF DEPUTIES.] The Revenue Commissioner
2 shall, with the approval of the State Finance Commission, divide the State into
3 districts for the purpose of the appraisement, assessment and collection of the
4 inheritance tax and the other revenues assessed and collected by him. Each of
5 said districts shall embrace one or more counties according to the volume of the
6 Revenue Commissioner's business in each county, and to each district he shall
7 assign a deputy revenue commissioner to attend to the business of the Revenue
8 Commissioner within such district. Such division into districts and assign-
9 ment of deputies shall be accomplished by an instrument in writing to be signed
10 by the Revenue Commissioner and approved by the State Finance Commission,
11 of whose records it shall become a part. In districts comprising only one coun-
12 ty, the Revenue Commissioner shall maintain an office in the county seat where
13 notices on him may be served, where statements, records, and other documents
14 required by him to be filed may be deposited and information concerning the
15 business of the Revenue Commissioner given, and where licenses may be applied
16 for and payments of fees and charges and taxes collectable by the Revenue Com-
17 missioner, may be made. In other districts, he shall maintain such office in the
18 county seat of one of the counties therein comprised, but he shall make arrange-
19 ments whereby notices may be left for service and documents left for filing and
20 applications for licenses left, at the county seats in other counties,
21 and he may designate certain days when a deputy will attend at
22 such county seats for the purpose of receiving payment of fees, charges and
23 taxes collectable by him. In any event, the designation of the location of the
24 office, or the place for leaving notices, statements and applications, and of the
25 days and places of attendance for the purpose of receiving payments, shall be
26 accomplished by an instrument in writing approved by and made a part of the
27 records of the State Finance Commission.

ARTICLE 2.

STATE TREASURER.

Sec. 16. BOND.] The Treasurer of this State shall, before entering upon the
2 duties of his office, give bond, with two or more sufficient sureties, to be approved
3 by the Governor and two justices of the Supreme Court, payable to the People
4 of the State of Illinois, in the penal sum of five hundred thousand (\$500,000)
5 dollars, conditioned for the faithful discharge of his duties, and to deliver up
6 all moneys, papers, books, records and other property appertaining to his office,
7 whole, safe and undefaced, to his successor in office, and that he will give addi-
8 tional bonds, with sufficient sureties, when legally required; which bond shall be
9 filed in the office of the Secretary of State. Whenever the Governor shall deem
10 any bond filed by the Treasurer insufficient, he may require additional bond, in
11 any penalty not exceeding that hereinbefore specified.

Sec. 17. OATH.] The Treasurer of this State shall, before entering upon
2 the duties of his office, take and subscribe the oath or affirmation prescribed by
3 section 25, article 5, of the Constitution, which shall be filed in the office of the
4 Secretary of State.

Sec. 18. FAILURE TO GIVE BOND OR TAKE OATH.] If any person elected to the
2 office of Treasurer shall fail to give bond or take the oath required of him, with-
3 in ten days after he is declared elected, the office shall be deemed vacant, and
4 if the Treasurer, being required to give additional bond, as provided in section
5 16 hereof, fails to do so within twenty (20) days after notice of such require-
6 ment, his office may, in the discretion of the Governor, be declared vacant, and
7 filled as provided by law.

Sec. 19. SUIT ON BOND.] Whenever the condition of the bond of the
2 Treasurer is broken, it shall be the duty of the Governor to order the same to be
3 prosecuted. Suit may be instituted and prosecuted thereon to final judgment
4 against the Treasurer or his sureties, or one or more of them, jointly or severally,

5 without first establishing the liability of the Treasurer, by obtaining judgment
6 against him alone.

Sec. 20. SEAL.—COPIES OF RECORDS, ETC., EVIDENCE.] The Treasurer shall keep
2 an official seal, which shall be used to authenticate all writings, papers and
3 documents, required by law to be certified from his office; and copies of all rec-
4 ords, writings, papers and documents legally in his keeping, when certified by
5 him, and authenticated by his official seal, shall be received in evidence in the same
6 manner and with like effect as the originals.

Sec. 21. TREASURER TO KEEP MONEYS.] The State Treasurer shall receive
2 the revenues and all other public moneys of the State, and all moneys authorized
3 to be paid to him, and safely keep the same.

Sec. 22. HOW MONEY PAID INTO TREASURY.] All persons paying money
2 into the State treasury shall first obtain from the Auditor of Public Accounts
3 an order, directing the Treasurer to receive the same; and if the Treasurer shall
4 receive and receipt for any money without such order being presented to him,
5 he shall be removed from office. When moneys are sent to the treasury, by ex-
6 press or otherwise, it shall be the Treasurer's duty to obtain the Auditor's or-
7 der, hereinbefore required, before receipting therefor.

Sec. 23. DUPLICATE RECEIPTS.] The Treasurer shall, on the receipt of any
2 money, give the person paying the same duplicate receipts therefor; which
3 shall be presented to the Auditor of Public Accounts, who shall countersign and
4 return one of them to the person presenting the same, and retain the other on
5 file in his office, and charge the amount thereof against the Treasurer. No re-
6 ceipt shall be of any validity unless the same is so countersigned.

Sec. 24. TREASURER TO RECEIVE CERTAIN MONEYS FROM UNITED STATES.] The
2 Treasurer of the State of Illinois shall be, and is hereby authorized, to receive
3 from the United States all money which may be now coming, or which shall here-
4 after accrue to the said State under and by virtue of the provisions of "An Act

5 of the Congress of the United States of America, entitled, 'An Act to provide
6 aid to States and Territorial Homes for the support of disabled soldiers and
7 sailors of the United States,' approved August 27, 1888." The money so re-
8 ceived from the United States shall be held and accounted for by the said
9 Treasurer as is other money in his hand belonging to the State of Illinois.

Sec. 25. BONDS—HOW INDORSED.] Every United States or other bond now
2 in the State treasury, or that may hereafter come into the treasury, shall im-
3 mediately be indorsed with the words following, viz: "Property of the State of
4 Illinois, not transferable by the Treasurer, without the consent of the Gover-
5 nor."

Sec. 26. WARRANT.] The Treasurer shall not pay out of the treasury any
2 money except upon the warrant of the Auditor of Public Accounts.

Sec. 27. COUNTERSIGNING AND ENTERING WARRANT.] When any warrant is
2 presented to him to be countersigned, or for payment, the Treasurer shall per-
3 sonally countersign the same, and shall also enter in a book, to be kept for
4 that purpose by him, the date, amount and name of the person to whom the same
5 is made payable.

Sec. 28. CANCELLING WARRANT.] On the payment of any warrant, the
2 Treasurer shall cancel the same with a cancelling hammer or some proper cancell-
3 ing instrument, which will cut or perforate the paper.

Sec. 29. ACCOUNTS.] The Treasurer shall keep regular and fair accounts of
2 all moneys received and paid out by him, stating, particularly, on what account
3 each amount is received or paid out.

Sec. 30. MONTHLY SETTLEMENTS WITH AUDITOR.] The Treasurer shall, at
2 the close of each month, report to the Auditor of Public Accounts the amount
3 of money received and paid out by him during the month, stating on what ac-
4 count the same was received and paid; and shall, at the same time, deposit with

5 the Auditor all warrants, properly canceled, which he may have paid, and take
6 the Auditor's receipt for the same.

Sec. 31. DEPOSIT OF MONEYS IN BANKS—INTEREST TO THE STATE.] The State
2 Treasurer shall deposit all moneys received by him on account of the State with-
3 in five days after receiving the same in such banks in the cities of the State
4 as, in the opinion of the Treasurer, are secure, and which shall pay the highest
5 rate of interest to the State for such deposits. The money so deposited shall be
6 placed to the account of the State Treasurer. Nothing in this section contained
7 shall be held to prevent the State Treasurer from withdrawing any or all of
8 said moneys so deposited, for the purpose of paying the appropriations and ob-
9 ligations of the State, and nothing herein contained shall in any way affect the
10 duty of the State Treasurer to keep a correct and accurate account of all moneys
11 received for the use of the State, and to pay out same only on authority of law;
12 but the State Treasurer shall be, as heretofore, personally responsible for the
13 faithful performance of his duties under the law and for a proper accounting
14 of all moneys paid to him as State Treasurer.

Sec. 32. QUARTERLY AND BIENNIAL REPORTS OF STATE FUNDS IN EACH DEPOSI-
2 TORY.] The State Treasurer, at the close of each quarter and at such other
3 times as the Governor may require, shall report to the Governor the amount of
4 State funds in each of such banks at the time of the making of the respective
5 report, and shall include a summary of said quarterly reports in each biennial
6 report hereinafter provided for.

Sec. 33. BIENNIAL REPORT.] The State Treasurer shall also prepare not
2 later than November 1st before each regular session of the General Assembly, a
3 full report to the Governor of all moneys received and paid out by him, and also
4 a general account of all the business of his office, one copy of which report shall
5 be delivered to the Governor, one copy to the Auditor of Public Accounts, and
6 one copy to each of the appointed members of the State Finance Commission.
7 Such report shall be included in the biennial report of the State Finance Com-
8 mission.

Sec. 34. DEATH OF TREASURER.] In case of the death of the Treasurer, it shall be the duty of the Governor to take possession of the office of such Treasurer, and cause the vaults thereof to be closed and securely locked, and so remain until a successor is appointed and qualified; and at the time such successor takes possession of the office, he, together with the Auditor of Public Accounts and any of the bondsmen of the deceased Treasurer who shall be present, shall proceed to take an account of all the moneys, papers, books, records and other property coming into his possession; and the Auditor shall take of such succeeding Treasurer his receipt therefor, and keep the same on file in his office.

ARTICLE 3.

AUDITOR OF PUBLIC ACCOUNTS.

(a) *Oath, Bond and Seal.*

Sec. 35. BOND.] The Auditor of Public Accounts of this State shall, before entering upon the duties of his office, give bond, with two or more sufficient sureties, to be approved by the Governor and two justices of the Supreme Court, payable to the People of the State of Illinois, in the sum of fifty thousand dollars, conditioned for the faithful discharge of his duties, and to deliver up all papers, books, records and other property appertaining to his office, whole, safe and undefaced, to his successor in office, and that he will give additional bonds, with sufficient sureties, when legally required; which bond shall be filed in the office of the Secretary of State. Whenever the Governor shall deem any bond filed by the Auditor insufficient, he may require additional bond, in any penalty not exceeding that hereinbefore specified.

Sec. 36. OATH.] He shall, before entering upon the duties of his office, take and subscribe the oath or affirmation prescribed by section 25, article 5, of the Constitution, which shall be filed in the office of the Secretary of State.

Sec. 37. FAILURE TO GIVE BOND OR TAKE OATH.] If any person elected to the office of Auditor of Public Accounts shall fail to give bond or take the oath required of him within ten days after he is declared elected, the office shall be

4 deemed vacant; and if the Auditor, being required to give additional bond, as
 5 provided in section thirty-five hereof, fails to do so within twenty days after
 6 notice of such requirement, his office may, in the discretion of the Governor,
 7 be declared vacant and filled as provided by law.

Sec. 38. SUIT ON BOND.] Whenever the condition of any bond of the
 2 Auditor of Public Accounts is broken, it shall be the duty of the Governor to
 3 order the same to be prosecuted. Suit may be instituted and prosecuted there-
 4 on to final judgment against the Auditor of Public Accounts or his sureties, or
 5 one or more of them, jointly or severally, without first establishing the liability
 6 of the Auditor by obtaining judgment against him alone.

Sec. 39. SEAL—COPIES OF RECORDS — BOOKS OF ACCOUNT — EVIDENCE.] The
 2 Auditor of Public Accounts shall keep an official seal, which shall be used to
 3 authenticate all writings, papers, documents and accounts required by law to be
 4 certified from his office; and copies of all records, writings, papers and docu-
 5 ments legally in his keeping, when certified by him and authenticated by his
 6 official seal, shall be received in evidence in the same manner and with like
 7 effect as the originals; and all books of accounts with collectors and other offi-
 8 cers and persons with whom it is the duty of the Auditor to keep accounts, and
 9 certified copies thereof, and statements therefrom, authenticated by the Auditor
 10 under his official seal, shall be *prima facie* evidence of the correctness of such
 11 accounts and statements, and of the amount due thereon to the State.

Sec. 40. EMPLOYEE OF TREASURER NOT TO BE EMPLOYED BY AUDITOR.] No per-
 2 son shall be employed as clerk in the Auditor's office who is, at the same time, em-
 3 ployed in any capacity in the Treasurer's office.

(b) *Warrants.*

Sec. 41. TO DRAW WARRANTS.] On ascertaining the amount due any person
 2 from the treasury, the Auditor of Public Accounts shall grant his warrant on
 3 the treasury for the sum due.

Sec. 42. RECORD OF WARRANTS.] He shall keep a fair record of all warrants
2 by him drawn, numbering the same, in a book to be kept for that purpose.

Sec. 43. AUDITOR TO SIGN WARRANTS, ETC.] The Auditor of Public Accounts
2 shall, in all cases, personally sign all warrants for money on the treasury of the
3 State, and all other papers necessary and proper for the Auditor to sign.

Sec. 44. WARRANTS PRESENTED TO BE COUNTERSIGNED.] In all cases where
2 warrants for money are issued by the Auditor of Public Accounts upon the
3 State Treasurer, the said warrants, before they are delivered to the person for
4 whose benefit the same are drawn, shall be presented by the Auditor to the
5 State Treasurer, to be countersigned by the Treasurer.

Sec. 45. SET-OFF.] Whenever any person shall be entitled to a warrant on
2 the Treasurer, on any account whatever, against whom there shall be any account
3 or claim in favor of the State, then due and payable, the Auditor of Public Ac-
4 counts shall ascertain the amount due and payable to the State, as aforesaid,
5 and issue a warrant on the Treasurer stating the amount for which the party was
6 entitled to a warrant, the amount deducted therefrom, and on what account, and
7 directing the payment of the balance; which warrant so issued shall be entered
8 on the books of the Treasurer, as for the amount the party was entitled to, but
9 the balance only shall be paid.

Sec. 46. SALE, ETC., NOT TO PREVENT SET-OFF.] No sale, transfer or assign-
2 ment of any claim or demand against the State, or right to a warrant on the
3 Treasurer, shall prevent or affect the right of the Auditor to make the deduc-
4 tion and offset provided in the foregoing section.

Sec. 47. LOST OR DESTROYED WARRANTS.] If any Auditor's warrant shall be
2 lost, mislaid or destroyed, so that the same cannot be presented for payment
3 by the person entitled thereto, it shall be lawful for the Auditor, at any time
4 before such warrant shall be paid at the treasury, to issue a duplicate warrant to
5 the person having so lost any warrant as aforesaid, on such person filing with
6 the Auditor an affidavit, in writing, sworn before some justice of the peace or

7 judge, stating the loss or destruction of any such warrant, and the Auditor shall
 8 immediately certify the same to the Treasurer, who shall thereby be authorized
 9 to pay any such duplicate warrant: *Provided*, if any such warrant shall be, at
 10 the time of such loss or destruction (which fact shall be ascertained by the oath
 11 of the party making such application or otherwise), negotiable, then, before
 12 such certificate shall be given by the Auditor, such person shall give him a bond
 13 in double the amount of the warrant, with two or more sufficient sureties, to be
 14 approved by the Auditor, payable to the People of the State of Illinois, for the
 15 refunding of the amount, together with all costs and charges, should the State
 16 afterwards be compelled to pay the original warrant.

Sec. 48. SETTLEMENT WITH TREASURER.] The Auditor of Public Accounts
 2 shall credit the Treasurer's account with the amount of the canceled warrants
 3 returned to him, monthly, by the Treasurer, and give him a receipt for the same,
 4 and shall enter the date of cancellation of such canceled warrants in his war-
 5 rant book.

Sec. 49. COUNTERSIGN RECEIPTS FOR MONEY.] The Auditor of Public Accounts
 2 shall countersign all receipts for moneys issued by the Treasurer, and charge
 3 the Treasurer with the amount thereof.

(c) *Accounting.*

Sec. 50. ACCOUNTS OF THE STATE.] It shall be the duty of the Auditor of
 2 Public Accounts at all times to keep the accounts of the State with any state or
 3 territory, and with the United States, and with all public officers, corporations
 4 and individuals, having accounts with this State; he shall audit all accounts of
 5 public officers who are to be paid out of the State treasury, of the members of the
 6 legislature, and all persons authorized to receive money out of the treasury,
 7 by virtue of any appropriation made or to be made by law particularly author-
 8 izing such account. He shall examine and audit the accounts of every officer,
 9 board, commission, commissioner, department or institution receiving money
 10 payable into the State treasury as provided by law, to ascertain the amount of
 11 money in the possession, custody or control, or subject to the order of any such

12 officer, board, commission, commissioner, department or institution. He shall
 13 keep a correct record of all accounts by him audited, in books to be kept for that
 14 purpose. He shall, also, keep an account of all taxes or other moneys which
 15 may be due by any person to the State, and also an account of all amounts
 16 which may be paid into the State treasury.

Sec. 51. BONDS AND ACCOUNTS OF COLLECTORS.] The Auditor of Public
 2 Accounts shall have power and it shall be his duty to pass upon the bonds of
 3 county collectors, and to bring suits upon the bonds of county collectors failing
 4 to make reports and payments as required by law; to examine and audit the
 5 statements and accounts of county collectors; to charge interest on the balance
 6 found due the State on the accounts of county collectors; and to give to such
 7 collectors duplicate certificates under his seal of office upon final settlement of
 8 any account with the State, all as hereinafter more fully provided.

Sec. 52. OVERPAYMENT BY COLLECTOR.] The Auditor of Public Accounts
 2 shall issue his warrant for any amount any collector may have paid or may here-
 3 after pay into the State treasury in excess of the amount that is or may be legally
 4 due from such collector, as more fully hereinafter provided.

(d) *Miscellaneous—Powers and Duties.*

Sec. 53. TO INSTITUTE SUITS.] The Auditor of Public Accounts shall be
 2 deemed the proper officer to institute all suits, motions and other proceedings
 3 in law and equity, in which the State is plaintiff, except in cases otherwise pro-
 4 vided by law.

Sec. 54. SATISFACTION OF JUDGMENTS.] In cases where suit is brought in
 2 which the State is plaintiff, any person who may desire to settle and pay over
 3 the amount due, after suit has been commenced and before execution has been
 4 issued, shall pay the same into the State treasury, and the Auditor of Public
 5 Accounts shall notify the clerk of the court where judgment was obtained of the
 6 fact, and such clerk shall indorse the judgment "satisfied." The sheriff or other
 7 officer who shall collect any funds due on execution in favor of the State, shall

8 pay the same into the State treasury within one month after he has received said
 9 funds. Any such collection may be forwarded to the State Treasurer, either by
 10 express or draft, as may be directed by the Auditor.

Sec. 55. BIENNIAL REPORT.] The Auditor of Public Accounts shall make
 2 out and prepare not later than November 1st before each regular session of the
 3 General Assembly a report to the Governor, showing the amount of warrants
 4 drawn on the treasury, stating, particularly, on what account they were drawn,
 5 and if drawn on the contingent fund, to whom and for what they were issued.
 6 He shall also at the same time report to the Governor the amount of money re-
 7 ceived into the treasury, stating, particularly, the source from which the same
 8 may be derived, and also a general account of all the business of his office. One
 9 copy of such report shall be presented to the Governor, one to the State
 10 Treasurer and one to each of the appointed members of the State Finance Com-
 11 mission.

ARTICLE IV.

LOCAL ASSESSORS AND TAXING AUTHORITIES.

(a) *County and Town Assessors.*

Sec. 56. COUNTY ASSESSOR IN COUNTIES NOT UNDER TOWNSHIP ORGANIZATION.]
 2 In counties not under township organization the county treasurer shall be *ex*
 3 *officio* county assessor, and he shall receive as compensation for his services as
 4 county assessor the sum of five hundred dollars per annum: *Provided, that*
 5 in counties having a population of less than 125,000 and over 50,000 he shall
 6 receive the sum of one thousand dollars per annum. He shall have all the
 7 powers and duties of an assessor as conferred by this Act; and in addition
 8 thereto the same powers and duties, so far as the same are applicable, as are
 9 conferred by this Act upon county supervisors of assessments in counties under
 10 township organization.

Sec. 57. TERM OF TOWNSHIP ASSESSOR, ETC.] In counties under township or-
 2 ganization the township assessor elected and qualified at the township election

3 last preceding the date on which this Act shall take effect, or in case of any
 4 vacancies in such offices, the person appointed to fill such vacancies shall hold
 5 their offices and perform all the duties thereof until January 1 next following
 6 the date of the election of their successor, and thereafter their successor shall
 7 enter upon their duties on the first day of January next following their election,
 8 and perform the duties of said office for two years or until their successors are
 9 elected and qualified.

Sec. 58. DEPUTY ASSESSORS.] If any assessor, for any cause whatever, shall
 2 be unable to perform the duties required of him, within the time designated by
 3 law, he may, by and with the advice and consent of the chairman of the county
 4 board, or board of town auditors, as the case may require, appoint one or
 5 more suitable persons to act as deputies to assist him in making the assessment
 6 and may designate the district, or portion of the township, county, city, village,
 7 or town in which such deputy or deputies are authorized to list and assess prop-
 8 erty. Such deputy assessors shall make their returns to the assessor.

Sec. 59. COMPENSATION.] The compensation of assessors and deputy as-
 2 sessors shall, from time to time, in counties not under township organization,
 3 be determined and fixed by the county board, and in counties under township
 4 organization, by the town board of auditors. Such compensation shall be for the
 5 time necessarily employed in making the assessment, to be paid county assessors
 6 and their deputies out of the county treasury on bills duly certified and approved
 7 by the county board, and town assessors and their deputies out of the town treas-
 8 ury. The compensation of town assessors shall be as follows: In towns contain-
 9 ing not less than five thousand (5,000) inhabitants, they shall receive not less
 10 than five dollars nor more than ten dollars per day: *Provided*, that in towns
 11 containing more than fifteen thousand (15,000) inhabitants, additional compen-
 12 sation may be allowed, but their entire compensation for making the assess-
 13 ment shall not exceed a sum of one thousand dollars; in towns containing less
 14 than five thousand (5,000) inhabitants, they shall receive not less than two and

15 one-half dollars nor more than five dollars per day; necessary deputy assessors
16 shall receive not exceeding five dollars per day.

Sec. 60. DETAILED ACCOUNTS OF TIME—NOT TO BE PAID UNTIL, ETC.] Assessors
2 and deputy assessors shall make out their accounts in detail, giving the date of
3 each day which they shall have been employed, which account they shall verify
4 under oath. The assessor shall not be entitled to compensation until he shall have
5 filed the lists, schedules, statements and books appertaining to the assessment of
6 property for such year, in the office of the county clerk—the books to be accu-
7 rately made and added up. An assessor or deputy assessor shall not be entitled
8 to compensation unless he has performed the labor and made return in strict
9 compliance with law.

Sec. 61. TOWN ASSESSORS IN COUNTIES CONTAINING 125,000 OR MORE INHABI-
2 TANTS.] In all towns in counties containing 125,000 or more inhabitants, not
3 lying wholly within the limits of one city, the town assessor shall be *ex officio* the
4 deputy assessor to make the assessments in the town wherein he is elected:
5 *Provided*, that if, in any such town, said town assessor shall not be able by
6 himself alone, within the time allowed by law, to make the assessment in such
7 town, then any additional deputy assessor or deputy assessors required to
8 make such assessment, shall be residents and legal voters of such town, and
9 shall be nominated by the board of auditors of such town, and appointed by
10 the board of assessors only upon such nomination, and deputy assessors so ap-
11 pointed shall act under the supervision of the *ex officio* deputy town assessor.

12 Except as thus provided or as otherwise provided in this Act, town assess-
13 ors in such counties shall not have the power or duty of assessing property, but
14 shall perform all other duties imposed upon them by law.

(b) *Board of Assessors.*

Sec. 62. BOARD OF ASSESSORS IN COUNTIES CONTAINING 125,000 OR MORE IN-
2 HABITANTS.] In all counties of this State containing one hundred twenty-five
3 thousand or more inhabitants, there shall be a board of assessors, consisting of

4 five persons, not more than four of whom shall be residents of any one city. Any
5 board of assessors in existence in any such county when this Act takes effect shall
6 continue in office. At the regular county election to be held in such counties in
7 the year 1918 for the election of county officers, and every two years thereafter,
8 at the regular county election in said counties for the election of county officers,
9 there shall be elected an assessor, or two assessors, as the case may be, to suc-
10 ceed the assessor or assessors whose term of office shall expire that year, whose
11 term of office shall commence on the first day of January next following, and
12 shall be six years in duration and until his or their successors shall be elected
13 and qualified. The assessors so elected shall qualify within ten days after the
14 canvass of the vote is completed. Such assessors shall hold no other lucrative
15 public office or public employment. Each of said assessors, before entering upon
16 the duties of his office, shall take and subscribe the oath provided for in this Act.
17 The chairman of the board shall be the person having the shortest term to serve.
18 In the years when two persons shall be serving the shortest term it shall be de-
19 termined by lot which of such two persons shall be chairman. Each assessor
20 shall receive as compensation such sum as may be fixed by the county board, to
21 be paid out of the county treasury.

22 In case of any vacancy in said board, or the failure of any person elected
23 to that office to qualify, the county board of taxation provided for in such coun-
24 ties, may appoint a person to fill such vacancy until his successor shall be elect-
25 ed and shall qualify and an assessor to fill such vacancy shall be elected at the
26 next regular county election to hold for the remainder of the term.

27 The county board of assessors shall have power to employ a chief clerk,
28 who shall have charge of the office of such board, and such other clerical help
29 as may be necessary, subject to the approval of the county board of taxation
30 as to the number thereof, who shall hold office during the pleasure of the board,
31 and who shall be present and in attendance at all proper business hours. Such
32 chief clerk shall take and subscribe an oath of office that he will honestly and
33 faithfully perform all duties of such office under the direction of said board, and
34 he shall have power to administer all oaths authorized by law to be adminis-

35 tered by assessors, and the compensation of such clerk shall be fixed by such
 36 board, subject to the approval of the county board of taxation, not to exceed ten
 37 dollars per day for each working day.

Sec. 63. APPOINTMENT OF DEPUTY ASSESSORS—TERM OF OFFICE—FEES—OATH.]

2 The board of assessors shall have power to appoint as many suitable persons as
 3 in their judgment are necessary to act as deputies, subject to the approval of
 4 the county board of taxation as to the number and time of service of such depu-
 5 ties to assist them in making the assessment, who shall perform such duties as
 6 may be assigned to them by the board of assessors. They shall hold their office
 7 during the will of the board of assessors, and shall receive such compensation as
 8 shall be determined by the board, not exceeding five dollars per day. The mem-
 9 bers of the boards of assessors and deputies appointed by them shall be paid for
 10 their services out of the county treasury on bills duly certified and approved
 11 by the county board. Such deputy assessors shall, before entering upon their
 12 duties, take and subscribe the oath or affirmation prescribed for the assessors.

Sec. 64. BOARD OF ASSESSORS—DUTIES AND POWERS—PENALTIES.] The board of

2 assessors shall perform the duties and have the powers in relation to the as-
 3 sessment of property imposed upon or possessed by county or town assessors
 4 by law. The members of such board of assessors shall be subject to all the lia-
 5 bilities and penalties imposed upon assessors by this Act.

Sec. 65. RULES AND REGULATIONS.] The board of assessors shall make and

2 publish reasonable and proper rules for the guidance of persons doing business
 3 with such board and for the orderly dispatch of business.

(c) *Supervisors of Assessments.*

Sec. 66. SUPERVISORS OF ASSESSMENTS—POWERS—DUTIES AND COMPENSATION.]

2 In counties under township organization of less than 125,000 inhabitants, the
 3 county treasurer shall be *ex officio* supervisor of assessments in his county, and
 4 shall receive as compensation for his services as supervisor of assessments the
 5 sum of one thousand dollars per annum, except that in counties having a popu-
 6 lation of less than 45,000 he shall receive only the sum of five hundred dollars

7 per annum. He shall have a suitable office, to be provided and furnished by
 8 the county board, in which he shall keep, subject to the inspection of all per-
 9 sons who shall desire to consult the same, the assessment books returned to him
 10 as directed by law. He shall keep his office open for business from 9 o'clock
 11 a. m. to 5 o'clock p. m. of every day except Sundays and legal holidays. He
 12 may, by and with the advice and consent of the county board, appoint necessary
 13 deputies and clerks, their compensation to be fixed by the county board and paid
 14 out of the county treasury on bills duly certified and approved by the county
 15 board. The supervisor of assessments shall, on or before the first day of April
 16 in each year, assemble all assessors and their deputies for consultation, and shall
 17 give such instructions to them as shall tend to a uniformity in the action of the
 18 assessors and deputy assessors in his county. Any assessor or deputy assessor
 19 who shall willfully refuse or neglect to observe or follow the direction of the
 20 supervisor of assessments, which shall be in accordance with law, shall, upon
 21 conviction thereof in any court of competent jurisdiction, for each offense be
 22 fined not less than fifty dollars nor more than five hundred dollars, or be con-
 23 fined in the county jail not exceeding six months, in the discretion of the court.

Sec. 67. AUTHORITY OF SUPERVISOR OF ASSESSMENTS.] The supervisor of
 2 assessments of the county shall have the same authority as the town assessor to
 3 assess and to make changes or alterations in the assessment of property.

(d) *County Boards of Taxation.*

Sec. 68. COUNTY BOARDS OF TAXATION.] In all counties of less than 125,000
 2 population, the chairman of the county board, the county clerk and the county
 3 assessor or supervisor of assessments, as the case may be, shall constitute a
 4 county board of taxation. The chairman of the county board shall be chairman
 5 and the county clerk shall be clerk of the said board. The chairman of said
 6 county board of taxation shall receive as compensation such sum per day for
 7 each day of service as shall be fixed by the county board, which shall be paid out
 8 of the county treasury on bills duly certified and approved by the county board,

9 his time of service to be made out in due form, with day and date and sworn to
10 by the chairman.

Sec. 69. IN COUNTIES OF 125,000—COUNTY BOARD OF TAXATION OF THREE PER-
2 SONS—ELECTION OF—ORGANIZATION AND DUTIES OF.] In counties containing 125,000
3 or more inhabitants there shall be a county board of taxation, consisting of three
4 persons and in such counties where a board of review had been heretofore
5 elected, such board shall be continued by and under the name and style of the
6 county board of taxation. At every regular county election occurring here-
7 after, there shall be elected a member of the board of taxation to succeed the
8 member whose term shall expire that year, and whose term of office shall be six
9 years and until his successor shall be elected and shall qualify. The persons
10 so elected shall qualify within ten days after the canvass of the vote shall be com-
11 pleted. They shall hold no other lucrative public office or public employment.
12 Each member before entering upon the duties of his office shall take and sub-
13 scribe the oath provided by law. Each member shall receive as compensation
14 such sum as may be fixed by the county board, to be paid out of the county treas-
15 ury, on bills duly certified and approved by the county board. In case of any
16 vacancy in said board or the failure of any person elected to that office to qual-
17 ify, the judge of the county court shall appoint a person to fill such vacancy
18 until his successor shall be elected and shall qualify. The member having the
19 shortest term to serve shall be the chairman of such board.

Sec. 70. FORM OF OATH TO BE TAKEN.] Each member of the county board
2 of taxation, as provided by this Act, shall, before entering upon the duties of his
3 office, take and subscribe to the following oath:

4 I do most solemnly swear [or affirm] that I will, as a member of the county
5 board of taxation, faithfully perform all the duties of said office as required by
6 law; that I will fairly and impartially review the assessment of all property as
7 made; that I will correct any and all assessments which should be corrected; that I
8 will raise said assessment or lower the same as justice may require; that I will
9 do and perform all acts necessary to procure a full, fair and impartial assess-
10 ment of all property of every kind, nature and description.

Sec. 71. RULES AND REGULATIONS.] The county board of taxation shall make

2 and publish reasonable and proper rules for the guidance of persons doing bus-
3 iness with such board and for the orderly dispatch of business.

Sec. 72. COUNTY BOARDS OF TAXATION—POWERS AND DUTIES IN GENERAL.] The

2 county boards of taxation shall have power and it shall be their duty to exercise
3 supervision over the assessment of property and the levy, extension and col-
4 lection of taxes within their respective counties and over all county and other
5 local officials charged with authority in respect to such matters. They shall
6 transmit to such officials all forms and instructions, rules and regulations pre-
7 scribed by the State Finance Commission, and they shall confer with, advise and
8 instruct the assessors and collectors as to their powers and duties.

9 The county board of taxation shall review and equalize assessments, as here-
10 inafter provided.

11 The county board of taxation shall examine the certificates of tax levies
12 from the local taxing authorities, and provide for the correction of any omis-
13 sions or defects in the proceedings relative thereto, as hereinafter more fully
14 provided.

15 The county board of taxation shall have such other powers and such other
16 duties as are hereinafter provided.

(e) *Generally.*

Sec. 73. ASSESSOR, DEPUTY ASSESSOR AND SUPERVISOR OF ASSESSMENTS TO GIVE

2 BOND—FORM OF OATH.] Every assessor, deputy assessor and supervisor of as-
3 sessments shall, before he enters upon the duties of his office, enter into a bond,
4 payable to the People of the State of Illinois, in the sum of two thousand dol-
5 lars, or such larger sum as the county board shall determine, with two or more
6 sufficient sureties, to be approved by the president or chairman of the county
7 board, except in the case of the supervisor of assessments, whose bond shall
8 be approved by the county board: *Provided*, that town assessors in coun-
9 ties having less than one hundred and twenty-five thousand inhabitants shall be
10 required to give bond only in the sum of five hundred dollars each, with sure-

11 ties as above provided. Said bond to be approved by the supervisor of their
 12 respective towns. The condition of the bond shall be that such assessor, deputy
 13 assessor or supervisor of assessments, as the case may be, will diligently, faith-
 14 fully and impartially perform each and singular the duties enjoined upon him
 15 by law. Such bond shall be filed in the office of the county clerk and recorded
 16 at large in a book to be provided for such bonds. The State, county, town or
 17 any municipality, corporation or person suffering any loss or damage by rea-
 18 son of any failure to keep and perform any of the conditions of the bond to the
 19 best of his ability may recover thereon for their or his use by suit in the name
 20 of the People of the State of Illinois.

21 Every assessor, deputy assessor or supervisor of assessments shall, also,
 22 before entering upon the duties of his office, take and subscribe to an oath,
 23 which oath shall also be filed in the office of the county clerk: *Provided*, that
 24 the oath of town assessors and their deputies shall be filed with their respective
 25 town clerks. Said oath to be as follows:

26 I do solemnly swear [or affirm] that I will support the Constitution of the
 27 United States and the Constitution of the State of Illinois, and that I will faith-
 28 fully discharge all the duties of the office of assessor, deputy assessor or super-
 29 visor of assessments [as the case may be] to the best of my ability; that I will
 30 without fear or favor appraise all the property in said county at its fair cash
 31 value, said value to be ascertained at what the property would bring at a vol-
 32 untary sale in the due course of business and trade; and that I will assess said
 33 property when so appraised at one-third of its said cash value; that I will cause
 34 every person, company or corporation assessed to sign his, her or its assess-
 35 ment schedule, and I will administer to each and every person so signing said
 36 assessment schedule the oath thereon, and return said schedule so signed and
 37 file the same with the county clerk.

Sec. 74. FAILURE TO TAKE OATH—VACANCY.] If any assessor, deputy as-
 2 sessor or supervisor of assessments shall fail to take the oath required by this
 3 Act, his office shall become vacant; and in such case, or in case the office of as-
 4 sessor is vacant for any cause, the county board, town board, town assessor,
 5 board of assessors or county board of taxation, as the case may be, shall fill
 6 the vacancy by the appointment of some suitable person, who shall qualify and

7 discharge the duties of such assessor till the office is otherwise filled, as required
8 by law.

Sec. 75. OFFICE OF BOARD OF ASSESSORS, ETC., TO BE KEPT OPEN DURING BUSI-
2 NESS HOURS., ETC.—TO FURNISH INFORMATION TO THE COUNTY BOARD OF TAXATION,
3 ETC.] The office of the board of assessors, the county supervisor of assessments
4 and the county assessor shall be open all the year during the business hours
5 to hear and receive complaints or suggestions that real property has not been
6 assessed at proper valuation. The supervisor of assessments, county assessor,
7 or board of assessors, as the case may be, shall furnish to the county board of
8 taxation all books, papers and information in his or their office that said board
9 may call for to assist them in the proper discharge of their duties.

Sec. 76. MAPS AND PLATS.] The board of assessors, supervisors of assess-
2 ments, and county assessors shall have power and authority to make and pur-
3 chase such maps and plats as will facilitate the business of their offices, which
4 maps and plats shall always be and remain in their offices, and shall be open and
5 accessible to the public.

Sec. 77. MAJORITY OF BOARD MAY ACT.] Wherever, in this Act, the board of
2 assessors or the county board of taxation is authorized to act, such action may
3 be taken by a majority of said respective boards.

Sec. 78. IN CASE ANY COUNTY OF LESS THAN 125,000 INHABITANTS SHALL HERE-
2 AFTER CONTAIN THAT NUMBER OR MORE.] In case any county not now coming
3 under the provisions of this Act relative to counties of one hundred and twenty-
4 five thousand (125,000) or more inhabitants, shall hereafter contain within its
5 limits one hundred and twenty-five thousand (125,000) or more inhabitants, as
6 determined by the last school or federal census, such county shall come under
7 the provisions of this Act relating to counties of such population; and at the
8 regular county election ensuing next after such contingency occurs, to be held
9 in such county, for the election of county officers, there shall be elected by the
10 legal voters of said county five assessors, whose terms of office shall commence

11 on the first day of January next ensuing, who shall hold their office, two for two
 12 (2) years, two for four (4) years, and one for six (6) years, respectively, and
 13 until their successors are elected and qualified, and also a county board of tax-
 14 ation consisting of three persons, whose term of office shall commence on said
 15 first day of January next ensuing and shall be for two, four and six years,
 16 respectively, and until their successors shall be elected and qualified. And
 17 every two years thereafter, at the regular county election in such county for
 18 the election of county officers, there shall be elected an assessor or two assessors,
 19 as the case may be, to succeed the assessor or assessors whose term of office
 20 shall expire that year, and also a member of the county board of taxation to
 21 succeed the member whose term shall expire that year, whose term of office
 22 shall commence on the first day of January next ensuing and shall be six (6)
 23 years in duration and until their successors shall be elected and qualified. The
 24 persons so elected shall qualify within ten (10) days after the canvass of the
 25 vote shall be completed.

26 At the first meetings of said board of assessors and said county board,
 27 they shall determine by lot which of the members of each, respectively, shall
 28 hold office for the respective terms.

29 All the provisions of this Act relative to counties of one hundred twenty-
 30 five thousand (125,000) inhabitants or over shall then apply to such counties.

ARTICLE 5.

COLLECTORS.

(a) *Town and District Collectors.*

Sec. 79. COUNTY A DISTRICT—SHERIFF COLLECTOR.] Each county in this State,
 2 not under township organization, shall be a collection district, for the purposes
 3 of this Act; and the sheriffs of such counties shall be, respectively, *ex officio*, dis-
 4 trict collectors of such collection districts.

Sec. 80. BOND—OATH.] Every town or district collector, before he enters
 2 upon the duties of his office, and within eight days after he receives notice of

the amount of taxes to be collected by him, shall execute a bond, with two or more securities, to be approved by the county board, or supervisor and town clerk of his town, as the case may require, in double the amount of such taxes, conditioned for the faithful execution of his duties as such collector. Signatures to such bond, signed with a mark, shall be witnessed, but in no other case shall witness be required. Said bond shall be substantially in the following form, to-wit:

Know all men by these presents, that we, A B, of the of, in the county of, in the State of Illinois, as town [or district] collector, and C D and E F, of the said county and State, as securities, are held and firmly bound unto the People of the State of Illinois, in the penal sum offor the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents. Signed and sealed this.....day of, A. D. 19....

The condition of the foregoing bond is such that if the above bound A B shall perform all the duties required to be performed by him as collector of the taxes for the year of 19...., in the town [or district] of, in the county of, Illinois, in the time and manner prescribed by law, and, when he shall be succeeded in office, shall surrender and deliver over to his successor in office all books, papers and moneys appertaining to his said office, then the foregoing bond to be void; otherwise to remain in full force.

A. B. (Seal)
C. D. (Seal)
E. F. (Seal)

He shall also take and subscribe an oath, to be indorsed on the back of the bond, substantially as follows:

I do solemnly swear [or affirm] that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of town [or district] collector, according to the best of my ability.

Sec. 81. BOND AND OATH RECORDED.] The chairman of the county board (or town supervisor, as the case may require,) shall, within six days thereafter, file such bond, with such approval indorsed thereon, in the office of the recorder, who shall record the same, including the oath, in a separate book to be provided for

5 the purpose, and when recorded shall be filed in the office of the county clerk by
 6 the recorder. Said bond, when so filed for record, shall be a lien against the
 7 real estate of such town or district collector, until he shall have complied with the
 8 conditions thereof.

Sec. 82. HOW VACANCIES FILLED—NOT TO EXONERATE FORMER COLLECTOR.] If
 2 any town or district collector in this State shall refuse to serve, or shall die, resign
 3 or remove out of the county, district, or town for which he was elected or ap-
 4 pointed, or the office becomes vacated in any other way, before he shall have en-
 5 tered upon or completed the duties of his office, or shall in any way be pre-
 6 vented from completing the same, the county or town board, as the case may re-
 7 quire, shall forthwith appoint a collector for the remainder of the year, who
 8 shall give like security and be subject to the like penalties, and have the same
 9 power and compensation as the town or district collector in whose place he was
 10 appointed, and in the case of a town collector, the county collector shall forthwith
 11 be notified of such appointment. Such appointment shall not exonerate the for-
 12 mer town or district collector or his securities from any liability incurred by him
 13 or them. No resignation of a town or district collector shall be accepted, unless
 14 sufficient cause is shown, nor shall the person resigning be reappointed to com-
 15 plete the collections in the same or any other town or district in the county.

Sec. 83. DUTY OF APPOINTEE.] The town or district collector so appointed
 2 shall keep an account of all collections made by the former collector, so far as he
 3 can ascertain the same, and when any one shall present a receipt for taxes paid
 4 to the former collector, he shall mark against the amount of such taxes to whom
 5 and when paid.

(b) *County Collectors.*

Sec. 84. COUNTY COLLECTORS.] The treasurers of counties under township
 2 organization, and the sheriffs of counties not under township organization, shall
 3 be *ex officio* county collectors of their respective counties.

Sec. 85. BOND—OATH.] The county collector shall, on or before the first
 2 day of December, annually, or as soon as he is elected and qualified, and before
 3 he enters upon the duties of his office, as collector, execute a bond, in addition to
 4 his bond as treasurer, in the penal sum of at least double the amount of State
 5 taxes to be collected in the year next thereafter, with two or more securities who
 6 shall be residents of the said county, and owners of real estate located within this
 7 State equal in value to the amount specified in the bond; which amount shall be
 8 determined, and which bond shall be approved by the county board. Each name
 9 shall be recited, in full, in the body of the bond. The signatures to such bond,
 10 signed by a mark, shall be witnessed, but in no other case shall witness be re-
 11 quired. Such bond shall be substantially in the following form, to-wit:

12 Know all men by these presents, that we, A B, collector, and C D and E F,
 13 securities, all of the county of..... and State of Illinois, are held and
 14 firmly bound unto the People of the State of Illinois, in the penal sum of.....
 15 dollars, for the payment of which, well and truly to be made, we bind ourselves,
 16 each of us, our heirs, executors and administrators, firmly by these presents.

17 Signed and sealed, thisday of, 19....

18 The condition of the foregoing bond is such that if the above bound A B
 19 shall perform all the duties required to be performed by him as collector of the
 20 taxes for the year of 19...., in the county of....., in the State of
 21 Illinois, in the time and manner prescribed by law, and when he shall be suc-
 22 ceeded in office, shall surrender and deliver over to his successor in office all
 23 books, papers and moneys appertaining to his said office, then the foregoing bond
 24 to be void; otherwise to remain in full force.

25		A. B.	(Seal)
26		C. D.	(Seal)
27		E. F.	(Seal)

28 He shall also take and subscribe an oath, to be indorsed on the back of the
 29 bond, substantially as follows:

30 I do solemnly swear [or affirm] that I will support the Constitution of the
 31 United States, and the Constitution of the State of Illinois, and that I will faith-
 32 fully discharge the duties of the office of county collector according to the best
 33 of my ability.

Sec. 86. APPROVED—RECORDED—SENT AUDITOR—LIEN.] The county collector's
 2 bond shall be approved by the county board, and shall be recorded on the rec-
 3 ords of said board, and forthwith mailed to the Auditor of Public Accounts by
 4 the county clerk. Said clerk shall attach his certificate to said bond, under the seal
 5 of his office, showing that it has been duly approved and recorded. Said bond,
 6 when approved and recorded, shall be a lien against the real estate of such col-
 7 lector until he shall have complied with the conditions thereof.

Sec. 87. HOW OTHERWISE APPROVED.] The chairman of the county board,
 2 the county judge and the county clerk shall have power and authority to ap-
 3 prove the bond of the county collector in like manner as the county board has
 4 to approve said collector's bond; and said bond, when so approved, shall be sub-
 5 ject to the several provisions of this Act, the same as if approved by said board.

Sec. 88. APPROVAL OF BONDS BY AUDITOR.] The county collector's bond, when
 2 received by the Auditor of Public Accounts, and if found to be made in con-
 3 formity to law, and the securities satisfactory, shall be filed in his office and the
 4 fact thereof certified to the county clerk. If the Auditor finds said bond to be
 5 not in accordance with law, or if he has reason to doubt the sufficiency of the
 6 surety, he shall return the bond to the county clerk who shall notify the col-
 7 lector to make a sufficient bond. If a new bond is required, it shall be approved
 8 and recorded and subject to the requirements of this article, the same as the first
 9 bond given by the collector. No tax books or lists shall be placed in the hands
 10 of the county collector until the Auditor's certificate, under the seal of his of-
 11 fice, has been received by the county clerk, showing that the collector's bond has
 12 been received and filed in the Auditor's office. Nothing in this section shall be
 13 construed as relieving the securities of a collector from liabilities incurred under
 14 a bond not approved and filed by the Auditor.

Sec. 89. DISCHARGE OF SURETIES.] The securities on any bond given in pur-
 2 suance of this article, or either of them, may, at any time after the execution of
 3 said bond, if they, or either of them, have good reason to believe that the officer
 4 in said bond is about to fail to comply with the conditions thereof, file with the

5 county clerk a notice in writing, verified under oath, by the person asking to be
 6 discharged, setting forth the facts in the case, and asking to be released from any
 7 further liability on said bond; whereupon the clerk, with whom such notice shall
 8 be filed, shall notify the said officer to give additional security, equal to the se-
 9 curity about to be released by the county board, which notice may be served by
 10 the said clerk, or by any person appointed by said board or clerk. If the officer so
 11 notified shall not appear and give additional security within two days after notifi-
 12 cation, the county board may remove him from office; and in all such cases said
 13 board shall appoint some person to fill the vacancy occasioned by such removal,
 14 who shall execute bond, qualify and perform the duties required as such officer.

Sec. 90. ATTACHMENT BY SURETIES.] If the securities on any collector's
 2 bond, or either of them, shall be satisfied that such collector is making improper
 3 use of the funds collected by him, or has absconded, or is about to abscond, from
 4 this State, whereby said securities may become liable to pay any sum or sums
 5 of money, it shall be lawful for said security to sue out a writ of attachment
 6 against the goods and chattels of such collector in like manner as he would be
 7 authorized to do if said collector was personally indebted to such security; and
 8 the money collected on any such attachment shall be paid into the State, coun-
 9 ty, town or city treasury, by the officer collecting the same, in like manner as if
 10 paid over by the collector.

(c) *In General.*

Sec. 91. CERTAIN OFFICERS NOT ELIGIBLE AS BONDSMEN.] No judge of the
 2 county court, chairman of the county board, clerk of the circuit court, county
 3 clerk, sheriff, deputy sheriff or coroner shall be permitted to be a surety on the
 4 bond of a county, town, district or deputy collector or county treasurer.

Sec. 92. DEPUTY COLLECTORS.] Collectors may appoint deputies by an in-
 2 strument in writing, duly signed, and may also revoke any such appointment
 3 at their pleasure; and may require bonds or other securities from such deputies,
 4 to secure themselves. And each such deputy shall have like authority, in every

5 respect, to collect the taxes levied or assessed within the portion of the coun-
 6 ty, town, district, village or city assigned to him, which by this Act is vested in
 7 the collector himself; but each collector shall, in every respect, be responsible to
 8 the State, county, towns, villages, cities, districts and individuals, companies or
 9 corporations, as the case may be, for all moneys collected and for every act done
 10 by any of his deputies, while acting as such, and for any omission of duty of
 11 such deputy. Any bond or security taken from a deputy by a collector pursuant
 12 to this Act, shall be available to such collector, his representatives and securities,
 13 to indemnify them for any loss or damage accruing from any act of such deputy.

ARTICLE 6.

COUNTY CONTROLLER.

Sec. 93. CREATION—APPOINTMENT—QUALIFICATION—TERM.] There is hereby
 2 created the office of county controller, in all counties except in counties of three
 3 hundred thousand (300,000) or more inhabitants. The county controller in such
 4 counties may be specially appointed as hereinafter provided; but in default of
 5 such appointment, the county clerk shall be the county controller of his county.
 6 The county board in any such county may, and shall have power to provide for
 7 the appointment of a county controller in manner as follows: Said board shall
 8 submit to the State Finance Commission a list of from three to five persons,
 9 residents of the county, who are competent and qualified accountants, consid-
 10 ered by it desirable for such office of county controller. The State Finance
 11 Commission shall thereupon determine by competitive examination from among
 12 the names submitted, the person or persons best fitted for said office, and shall
 13 thereupon certify the same to the county board submitting such list, who shall
 14 then make an order appointing, from the number thus found eligible, one such
 15 person, county controller for such county: *Provided, however,* that if among
 16 the list submitted there is found no person qualified for the position, the county
 17 board shall in like manner submit a further list and if on this second list no one
 18 is found qualified, the county board may appoint some person other than a resi-
 19 dent of the county and who has passed satisfactorily the examination presented

20 by the State Finance Commission for county controllers. In any county where
 21 a county assessor is appointed under the provisions of article 7 of this title, such
 22 assessor may be appointed, in the manner above provided, to act also as such
 23 county controller of his county, if he qualifies, and subject to the certification
 24 by the State Finance Commission as above provided. The county controller
 25 thus appointed shall hold his office for a term of four years and until his suc-
 26 cessor is appointed in the same manner as above provided, and qualified.

Sec. 94. COMPENSATION.] A county controller appointed under the provis-
 2 ions of this article, shall receive a salary to be determined in the first instance
 3 by the county board, at the time of his appointment; and thereafter such salary
 4 may be increased or diminished by the county board, at the annual September
 5 meeting of said board, subject to the approval of the State Finance Commis-
 6 sion.

Sec. 95. REMOVAL.] An appointed county controller may be removed dur-
 2 ing his term of office, by the county board or by the State Finance Commission,
 3 for incompetence, malfeasance or neglect of duty; but he shall be entitled to a
 4 statement of the charges against him and shall be given an opportunity to reply
 5 thereto before his removal.

Sec. 96. POWERS AND DUTIES IN GENERAL.] The county controller shall exer-
 2 cise a general supervision over all the officers of the county charged in any
 3 manner with the receipt, collection, handling or disbursement of the county finan-
 4 ces. He shall be the fiscal agent of the county. He shall have charge of all the
 5 deeds, mortgages, contracts, judgments, notes, bonds, debts and choses in action
 6 belonging to the county, except such as are directed to be deposited elsewhere,
 7 and he shall have custody of and carefully preserve all leases of the property
 8 of the county. He shall have supervision over the contracts, bonds,
 9 obligations, loans and liabilities of the county, the payment of interest,
 10 and over all the property of the county, and the sale or disposition
 11 thereof; and he shall generally in subordination to the county board,

12 exercise supervision over all such interests of the county as, in
 13 any manner, may concern or relate to the county finances and prop-
 14 erty. He shall also prepare estimates of county revenues and expenditures,
 15 sign all warrants drawn upon the county treasury, keep a complete set of ac-
 16 counts of county finances, require financial statements from county officers and
 17 prepare an annual statement of county finances,—all as hereinafter more fully
 18 provided.

ARTICLE 7.

LOCAL OPTION PROVISION RELATIVE TO COUNTY ASSESSORS AND COLLECTORS IN COUNTIES UNDER TOWNSHIP ORGANIZATION.

Sec. 97. PRELIMINARIES FOR ADOPTION OF ARTICLE.] At any general State or
 2 county election, the qualified electors in any county of the first or second class
 3 under township organization, may vote for or against the adoption of the pro-
 4 vision of this article, as hereinafter provided. Whenever the legal voters of any
 5 such county equal in number to five (5%) per cent of the votes cast for all candi-
 6 dates for the office for which the highest number of votes was cast at the last
 7 preceding regular election in such county, shall petition the judge of the county
 8 court of such county to submit to a vote of the electors of such county the propo-
 9 sition as to whether such county shall adopt and become entitled to the provis-
 10 ions of this article, it shall be the duty of such judge of the county court to
 11 submit such proposition accordingly at the next succeeding general State or coun-
 12 ty election, held not less than sixty days after such petition is presented to such
 13 judge of the county court, and an order shall be entered of record in such county
 14 court submitting such proposition; and if such proposition is not adopted, the
 15 same shall be submitted in like manner to a vote of the electors of such county by
 16 the judge of the county court, upon like application at any general State or county
 17 election thereafter.

Sec. 98. NOTICE—ELECTION—ADOPTION—PROCLAMATION.] The judge of the
 2 county court shall give at least ten (10) days' notice of the submission of such
 3 proposition by publishing such notice in one or more newspapers of general cir-

4 culation published within such county for at least five times, the first publication
 5 to be at least ten (10) days before the day of election; and also by posting at
 6 least five (5) copies of such notice in each election precinct in such county at least
 7 ten (10) days before such election. Such election shall be held under the elec-
 8 tion law in force in such county except as herein otherwise provided. The
 9 proposition to be voted on shall appear in plain, prominent type, on a separate
 10 and distinct ballot from the ballot containing the names of candidates for any
 11 office or offices. If a majority of the votes cast upon such proposition shall be for
 12 such proposition, this article shall thereby be adopted by such county, and the
 13 county clerk shall thereupon issue a proclamation declaring this article in force
 14 in such county.

Sec. 99. TOWN ASSESSORS AND COLLECTORS NOT TO BE ELECTED.] In any county
 2 which has adopted the provisions of this article, town assessors and collectors
 3 shall not thereafter be elected in any town in such county.

Sec. 100. COUNTY ASSESSORS.] In any county under township organization
 2 which has voted to adopt the provisions of this article, the county clerk shall be
 3 county assessor and *ex officio* assessor of all the towns in such county: *Pro-*
 4 *vided*, that in any such county under township organization, the board of super-
 5 visors shall have power and authority to appoint, with the approval of the State
 6 Finance Commission, a county assessor for a term of four (4) years, who shall
 7 be *ex officio*, assessor of all the towns in such county, from and after the expira-
 8 tion of the terms of the town assessors in office at the time of such election.
 9 Such county assessors appointed by the board of supervisors shall be persons
 10 well versed in the value of land and other property. They may be removed by
 11 the board of supervisors for neglect of duty, malfeasance or other misconduct,
 12 after notice and opportunity to be heard. Vacancies shall be filled
 13 by the board of supervisors with the approval of the State Finance Commis-
 14 sion for the unexpired term. In any county which has voted to adopt the provis-
 15 ions of this article the county treasurer shall cease to be supervisor of assess-
 16 ments, and the county assessor shall be vested with all the powers and duties
 17 of supervisor of assessments. Deputy assessors may be appointed in any such

18 county by and with the advice and consent of the chairman of the county board.
 19 County assessors and deputy assessors appointed under this article shall re-
 20 ceive such compensation as may be determined by the board of supervisors, be-
 21 fore their election or appointment.

Sec. 101. COUNTY TREASURERS TO BE COLLECTORS—DEPUTIES—FEES.] In any
 2 county which has voted to adopt the provisions of this article, the county treas-
 3 urer shall be collector of taxes and *ex officio*, town collector for all towns
 4 in such county. He may appoint one or more persons as deputy collectors and
 5 may designate the section, or portion of the county in which any such deputy may
 6 be authorized to collect taxes. Such deputy collectors shall report to and be re-
 7 sponsible to the county treasurer and the county treasurer shall be responsible
 8 to the State, county, towns, villages, cities, districts and individuals, companies
 9 or corporations, as the case may be, in the same manner as is hereinbefore pro-
 10 vided relative to the appointment of deputies by collectors; and the county treas-
 11 urer may take bond or security from such deputies, and such bond or security
 12 shall be available to the county treasurer, his representatives and securities, in
 13 like manner. Such deputies shall receive as compensation such sum as may be
 14 fixed by the county board, to be paid out of the county treasury.

15 All commissions and fees provided by law for the collection of taxes by
 16 town collectors in counties coming within the provisions of this article shall be
 17 paid into the county treasury.

ARTICLE 8.

LOCAL OPTION PROVISION RELATIVE TO TOWN ASSESSORS AND COLLECTORS.

Sec. 102. PRELIMINARIES FOR ADOPTION OF ARTICLE.] At any general State,
 2 county or town election the qualified electors in any town may vote for or
 3 against the adoption of the provisions of this article, as hereinafter provided.
 4 Whenever the legal voters of any town equal in number to one-tenth of the
 5 votes cast for all candidates for the office for which the highest number of votes
 6 was cast at the last preceding regular election in such town, shall petition the
 7 judge of the county court of the county in which such town is located, to submit

8 to a vote of the electors of such town the proposition as to whether such town
 9 shall adopt and become entitled to the provisions of this article, it shall be the
 10 duty of such judge of the county court to submit such proposition accordingly
 11 at the next succeeding general State, county or town election, held not less than
 12 sixty days after such petition is presented to such judge, and an order shall
 13 be entered of record in such county court submitting such proposition; and if
 14 such proposition is not adopted, the same shall be submitted in like manner to a
 15 vote of the electors of any such town by the judge of the county court, upon like
 16 application, at any general State, county or town election thereafter.

Sec. 103. NOTICE—ELECTION—ADOPTION—PROCLAMATION.] The judge of the
 2 county court shall give at least ten (10) days' notice of the submission of such
 3 proposition, by publishing such notice in one or more newspapers published
 4 within such town, or if no paper is published in the town, by publishing in a
 5 newspaper at the county seat, for at least five (5) times, the first publication to
 6 be at least ten (10) days before the day of election; and by posting at least five
 7 (5) copies of such notice in each election precinct in such town at least ten (10)
 8 days before such election. Such election shall be held under the election law in
 9 force in such town, except as herein otherwise provided. The proposition to be
 10 voted on shall appear in plain, prominent type, on a separate and distinct bal-
 11 lot from the ballot containing the names of candidates for any office or offices. If
 12 a majority of the votes cast upon such proposition shall be for such proposi-
 13 tion, this article shall thereby be adopted by any such town, and the town clerk
 14 shall forthwith certify the result to the clerk of the county court, who shall
 15 thereupon issue a proclamation declaring this article in force in such town.

Sec. 104. COUNTY OFFICERS TO ACT AS ASSESSOR AND COLLECTOR.] From and
 2 after the expiration of the term of the officers in office at the time of such elec-
 3 tion, the county clerk of the county in which any town which adopts the provis-
 4 ions of this article is located shall be *ex officio* assessor of such town, and the
 5 treasurer of such county shall be *ex officio* collector of such town; but such of-
 6 ficers shall not be required to give any additional bond on account of holding

7 such town officers, but they shall be liable on their official bonds for their acts as
 8 town officers in the same manner and to the same extent as if such bonds had
 9 been given as such town officers. Thereafter town assessors and collectors shall
 10 not be elected in any such towns.

Sec. 105. OFFICES — DEPUTY COLLECTORS—FEES FOR COLLECTIONS.] County
 2 clerks and county treasurers who become *ex officio* town officers under the pro-
 3 visions of this article, shall maintain their public offices as such town offices in
 4 the offices provided and maintained for them as county clerks and county treas-
 5 urers: *Provided*, that with the approval of the board of town auditors, a branch
 6 office may be temporarily maintained in any such town which does not include the
 7 county seat for such county, for convenience in the discharge of their duties
 8 as town officers. Such county treasurers in performing the duties thereby im-
 9 posed, for collection of such taxes, may appoint one or more persons as deputy
 10 collectors, and may designate the town, towns, or section or sections of towns
 11 in which any such deputy may be authorized to collect such taxes. Such deputy
 12 collectors shall report to and be responsible to the county treasurer, and the
 13 county treasurer shall be responsible to the State, county, towns, villages, cities,
 14 districts and individuals, companies, or corporations, as the case may be, in the
 15 same manner as is hereinbefore provided relative to the appointment of depu-
 16 ties by collectors; and the county treasurer may take bond or security from such
 17 deputies, and such bond or security shall be available to the county treasurer,
 18 his representatives, and securities, in like manner. Such deputies shall receive
 19 as compensation such sums as may be fixed by the county board to be paid out
 20 of the county treasury.

21 All commissions and fees now provided by law for the collection of taxes by
 22 town collectors in towns coming within the provisions of this article, shall be
 23 paid into the county treasury.

24 Deputy assessors may be appointed for any town coming within the provis-
 25 ions of this article, as provided by law.

ARTICLE IX.

MISCELLANEOUS PROVISIONS.

Sec. 106. DEFINITIONS.] The words and phrases following, whenever used
2 in this Act, shall be construed to include in their meaning the definitions set
3 opposite the same in this section, whenever it shall be necessary to the proper
4 construction of this Act.

5 1st. ASSESSOR—ASSESSORS. County, town, district and deputy as-
6 sessors, supervisors of assessment and boards of assessors and members there-
7 of, except in so far and in such cases as is inconsistent with special provisions of
8 this Act in regard to the board of assessors and the members thereof.

9 2nd. AUDITOR. Auditor of Public Accounts.

10 3rd. BANK—BANKER—BROKER—STOCK JOBBER. Whoever has
11 money employed in the business of dealing in coin, notes or bills of exchange,
12 or in the business of dealing in or buying or selling any kind of bills of exchange,
13 checks, drafts, bank notes, promissory notes, bonds, or other writing obligatory,
14 or stocks of any kind or description whatsoever, or receiving money on deposit.

15 4th. COLLECTOR—COLLECTORS. County, town, district and deputy
16 collectors.

17 5th. COUNTY BOARD. The board of supervisors—The board of county
18 commissioners.

19 6th. CREDITS. Every claim or demand for money, labor, interest, or
20 other valuable thing, due or to become due, not including money on deposit.

21 7th. DELINQUENT REAL ESTATE. All real estate upon which taxes
22 remain due and unpaid on the tenth day of March, annually, or at the time the
23 town or district collector makes return of his books to the county collector, shall
24 be deemed delinquent.

25 8th. HE. Male, female, company, corporation, firm, society, singular or
26 plural number.

27 9th. MONEY—MONEYS. Gold, silver, or other coin, paper or other cur-
28 rency used in barter and trade as money, in actual possession and every deposit
29 which the person owning, holding in trust, or having the beneficial interest there-

30 in, is entitled to withdraw in money on demand.

31 10th. NUMBER. The singular shall include the plural and the plural num-
32 ber shall include the singular.

33 11th. OATH. Oath or affirmation.

34 12th. PERSON—PERSONS. Male, female, corporation, company, firm,
35 society, singular or plural number.

36 13th. QUADRENNIAL ASSESSMENT. The general assessment of real
37 estate and improvements required by law to be made once in four years.

38 14th. PUBLIC UTILITY. As defined in section 10 of an Act entitled “An
39 Act to provide for the regulation of public utilities,” approved June 30, 1913.

40 15th. REAL PROPERTY—REAL ESTATE—LAND — TRACT—LOT.
41 Not only the land itself, whether laid out in town or city lots, or otherwise, with
42 all things contained therein, but also all buildings, structures, and improvements
43 and other permanent fixtures, of whatsoever kind, thereon, and all rights and
44 privileges belonging or in any wise pertaining thereto, except where the same
45 may be otherwise denominated by this Act.

46 16th. SHARES OF STOCK—SHARES OF CAPITAL STOCK. The
47 shares into which the capital or stock of every incorporated company or asso-
48 ciation may be divided.

49 17th. TAX—TAXES. Any tax, special assessments or costs, interest or
50 penalty imposed upon property.

Sec. 107. NOTICES UNDER THIS ACT—HOW GIVEN.] All notices in this Act re-
2 quired to be given shall be written or printed notices and shall be served per-
3 sonally upon the persons entitled to notice, or their agents, or by sending such
4 notice by mail to the person so entitled to notice, or to his agent, if the residence
5 or business address of such person is known or by reasonable effort can be ascer-
6 tained. If the address of such person can not be ascertained, then the notice
7 shall be sent to the address of the person who last paid the taxes upon the prop-
8 erty in question. A failure to give any notice required by this Act shall not
9 impair or affect the validity of any assessment as finally made.

Sec. 108. OATH.] Any oath, authorized to be administered under this Act,
 2 may be administered by any officer having authority to administer oaths as well as
 3 by the officer herein specifically designated for that purpose.

Sec. 109. COUNTY TO FURNISH BOOKS AND BLANKS—CLERK TO PROCURE THEM.]
 2 The county board shall direct the county clerk to procure all necessary books
 3 and blanks required by this Act to be used in the assessment of property and
 4 collection of taxes, at the expense of the county.

Sec. 110. FORMS—INSTRUCTIONS—ETC.] All assessors, collectors and other
 2 officers in the performance of their duties shall use the forms and comply with
 3 the instructions, rules and regulations which shall from time to time be pre-
 4 scribed by the State Finance Commission and be transmitted and furnished to
 5 them by the tax commissioner, county clerk, county board of taxation or other
 6 officers in pursuance of law.

Sec. 111. NEW ASSESSMENT WHEN RECORDS ARE DESTROYED.] When assess-
 2 ment rolls or collectors' books, in whole or in part, of any county, town, city,
 3 incorporated village or district, shall be lost or destroyed by any means what-
 4 ever, a new assessment, or new books, as the case may require, shall be made
 5 under the direction of the county board. Said board shall, in such cases, fix
 6 reasonable times and dates for performing the work of assessment, equalization,
 7 levy, extension and collection of taxes and paying over the same, or making
 8 new books, as the circumstances may require. All the provisions of this Act
 9 shall apply to the dates fixed by the county board, in the same manner that they
 10 apply to the dates for similar purposes, as fixed by this Act. The county board
 11 is hereby fully empowered to elect and appoint persons, where it may find the
 12 same necessary, to carry into effect the provisions of this section.

Sec. 112. ACT PUBLISHED.] The State Finance Commission shall, as soon
 2 as practicable after the passage of this Act, cause the same to be correctly
 3 printed in pamphlet form, and transmit to each county clerk a sufficient number
 4 of copies thereof for the use of the several county, town and district officers; and
 5 said clerk shall deliver the same to the proper officers.

Sec. 113. FAILURE TO DO ANY DUTY UNDER THIS ACT.] If any officer shall
 2 fail or neglect to perform any of the duties required of him by this Act, upon
 3 being required so to do by any person interested in the matter, he shall be liable
 4 to a fine of not less than ten dollars nor more than five hundred dollars, to be re-
 5 covered in an action of debt in the circuit court of the proper county, and may
 6 be removed from office at the discretion of the court; and any officer who shall
 7 knowingly violate any of the provisions of this Act shall be liable to a fine of not
 8 less than ten dollars nor more than one thousand dollars, to be recovered in an
 9 action of debt, in the name of the People of the State of Illinois, in any court
 10 having jurisdiction, and may be removed from office at the discretion of the
 11 court; said fines, when recovered, shall be paid into the county treasury.

Sec. 114. REFUSAL BY CLERK, ASSESSOR OR OTHER OFFICER TO DO DUTY.] Every
 2 county clerk, assessor, collector or other officer who shall in any case refuse or
 3 knowingly neglect to perform any duty enjoined upon him by this Act, or who
 4 shall consent to or connive at any evasion of its provisions, whereby any pro-
 5 ceeding required by this Act shall be prevented or hindered, or whereby any
 6 property required to be listed for taxation shall be unlawfully exempted, or the
 7 same be entered upon the tax list at less than its fair cash value, shall, for every
 8 such offense, neglect or refusal, be liable on the complaint of any person, for
 9 double the amount of the loss or damage caused thereby, to be recovered in an
 10 action of debt, in the name of the People of the State of Illinois, in any court
 11 having jurisdiction, and may be removed from his office at the discretion of the
 12 court.

Sec. 115. DUTY OF STATE'S ATTORNEY TO PROSECUTE VIOLATORS.] It is hereby
 2 made the duty of the State's attorney of each county to prosecute all violators
 3 of this Act. The sum of twenty dollars shall be taxed as costs on each convic-
 4 tion and all fines and costs collected under this Act shall be paid into the county
 5 treasury for the use of the county.

TITLE II.

ASSESSMENT OF PROPERTY FOR TAXATION.

ARTICLE 1.

WHAT PROPERTY IS TAXABLE AND WHAT IS EXEMPT.

(a) *Property Taxable.*

Sec. 116. IN GENERAL.] The property named in this section shall be assessed and taxed except so much thereof as may be in this Act exempted:

First: All real and personal property in this State.

Second: All moneys, credits, bonds or stocks and other investments, the shares of stock of incorporated companies and associations, and all other personal property, including property *in transitu* to or from this State, used, held, owned or controlled by persons residing in this State.

Third: The shares of capital stock of banks, incorporated under the banking laws of this State or of the United States and the capital of all other banks.

Fourth: The capital and other property in the State over and above the assessed value of real and personal property otherwise assessed, of public utilities, and of companies and associations incorporated under the laws of this State or of any other state or country in the manner hereinafter provided.

Sec. 117. UNIFORMITY RESTORED.] The real and personal property within all incorporated towns and cities in every county in this State shall be taxable for all purposes, any local or special law in regard to exemption of any particular town or city to the contrary notwithstanding; and all provisions of law in conflict with this section are hereby repealed; but nothing herein shall be construed as authorizing the taxation of property allowed to be exempted by any general law now in force or that may hereafter be passed. And all laws requiring any city to support and provide for its paupers, to assume liabilities, or perform duties required of counties by the general laws of this State, are hereby repealed; and the general laws of this State upon such subjects, in relation to counties and cities, shall be applicable to all counties and cities in this State.

(b) *Property Exempt.*

Sec. 118. IN GENERAL.] All property described in this section, to the extent

herein limited, shall be exempt from taxation, that is to say:

First: All lands donated by the United States for school purposes, not sold or leased; all property of schools, including the real estate on which the schools are located, used exclusively for school purposes, not leased by such schools or otherwise used with a view to profit.

Second: All property used exclusively for religious purposes, or used exclusively for school and religious purposes and not leased or otherwise used with a view to profit.

Third: All lands used exclusively as grave yards or grounds for burying the dead.

Fourth: All unentered government lands; all public buildings or structures of whatsoever kind, and the contents thereof, and the land on which the same are located belonging to the United States.

Fifth: All property of every kind belonging to the State of Illinois.

Sixth: All property belonging to any county, town, village or city used exclusively for the maintenance of the poor; all swamp or overflowed lands belonging to any county, so long as the same shall remain unsold by such county; all public buildings belonging to any county, township, city or incorporated town, with the ground on which such buildings are erected, not exceeding in any case ten acres.

Seventh: All property of institutions of public charity, when actually and exclusively used for such charitable purposes, not leased or otherwise used with a view to profit; and all free public libraries.

Eighth: All fire engines and other implements used for the extinguishment of fires, with the buildings used exclusively for the safe keeping thereof, and the lot of reasonable size on which the building is located, when belonging to any city, village or town.

Ninth: All market houses, public squares, or other public grounds used exclusively for public purposes; all works, machinery and fixtures belonging ex-

clusively to any town, village or city, used exclusively for conveying water to such town, village or city; all works, machinery and fixtures of drainage districts, when used exclusively for pumping water from the ditches and drains in such district for drainage purposes.

Tenth: All property which may be used exclusively by societies for agricultural, horticultural, mechanical and philosophical purposes, and not for pecuniary profit.

Sec. 119. EXEMPTING CERTAIN BRIDGES FROM TAXATION—RULES OF OWNERS—PENALTY.] Whenever any bridge used exclusively for persons and vehicles, across any stream forming the boundary line between this and an adjoining State, shall be made in a public highway free to all persons and vehicles, such bridge shall not be subject to taxation in this State; but nothing in this Act shall prevent the owner or owners of such bridge or those under whose authority it is operated from making and enforcing by fine, such rules and regulations as may be deemed necessary for the management of such bridge; and whoever shall violate any of the rules or regulations so made by such owner or owners or those under whose authority such bridge is operated, shall be deemed guilty of a misdemeanor, and shall be fined not to exceed one hundred dollars.

ARTICLE II.

LISTING PROPERTY.

(a) *How Property Shall be Valued and Listed and with Reference to What Time and Place.*

(1) In General.

Sec. 120. PROPERTY—WHEN LISTED.] All property subject to taxation shall be listed by the person at the place and in the manner required by law, and assessed at the place and in the manner required by law with reference to the ownership, amount, kind and value on the first day of April in the year for which the property is required to be listed, including all property purchased on that day. The owner of property on the first day of April in any year shall

7 be liable for the taxes of that year. The purchaser of property on the first day
8 of April shall be considered as the owner on that day.

Sec. 121. "FULL VALUE" AND "ASSESSED VALUE."] The fair cash value of
2 personal property, less such deductions as may be allowed by law to be made
3 from credits, shall be set down in one column of the assessment lists, to be
4 headed "full value," and one-third part thereof shall be ascertained and set
5 down in another column which shall be headed "assessed value."

6 The fair cash value of real property estimated at the price it would bring
7 at a fair voluntary sale in the course of trade, shall be set down in one column
8 of the lists to be headed "full value," and one-third part thereof shall be as-
9 certained and set down in another column, which shall be headed "assessed
10 value."

11 The Tax Commissioner and State Finance Commission, in valuing property
12 assessed by them shall ascertain and determine respectively the fair cash value
13 of such property, which fair cash value shall be set down in one column to be
14 headed "full value," and one-third part thereof shall be ascertained and set
15 down in another column, which shall be headed "assessed value."

16 The one-third value of all property so ascertained and set down shall be the
17 assessed value for all purposes of taxation, limitation of taxation and limitation
18 of indebtedness prescribed in the Constitution or any statute.

(2) Personal Property.

Sec. 122. RULES FOR VALUING PERSONAL PROPERTY, ETC.] Personal property
2 shall be valued as follows:

3 First: All personal property, except as herein otherwise directed, shall be
4 valued at its fair cash value.

5 Second: Every credit for a sum certain, payable either in money or labor,
6 shall be valued at a fair cash value, for the sum so payable if for any article of
7 property, or if for labor or services of any kind, it shall be valued at the current
8 price of such property, labor or service.

9 Third: Annuities and royalties shall be valued at their then present
10 value.

Sec. 123. PERSONAL PROPERTY—HOW LISTED.] Personal property shall be
2 listed in the manner following:

3 First—Every person of full age and sound mind, being a resident of this
4 State shall list all his moneys, credits, bonds or stocks, shares of stock of joint
5 stock or other companies (when the capital and other property of such company
6 is not assessed in this State), moneys loaned or invested, annuities, franchises,
7 royalties and other personal property.

8 Second—He shall also list all moneys and other personal property invested,
9 loaned or otherwise controlled by him as the agent or attorney, or on account
10 of any other person or persons, company or corporation whatsoever, and all
11 moneys deposited, subject to his order, check or draft and credits due from or
12 owing by any person or persons, body corporate or politic.

13 Third—The property of a minor child shall be listed by his guardian; if he
14 have no guardian, then by the father, if living; if not, by the mother, if living;
15 and if neither father or mother be living, by the person having such property
16 in charge.

17 Fourth—The property of an idiot or lunatic, by his conservator; or if he
18 has no conservator, by the person having charge of such property.

19 Fifth—The property of a wife, by her husband, if of sound mind; if not, by
20 herself.

21 Sixth—The property of a person for whose benefit it is held in trust, by
22 the trustee; of the estate of a deceased person, by the executor or adminis-
23 trator.

24 Seventh—The property of corporations whose assets are in the hands of re-
25 ceivers, by such receivers.

26 Eighth—The property of a body politic or corporate, by the president, or
27 proper agent or officer thereof.

28 Ninth—The property of a firm or company, by a partner or agent thereof.

29 Tenth—The property of manufacturers and others in the hands of agent, by
30 and in the name of such agent, as merchandise.

Sec. 124. PERSONAL PROPERTY—WHEN LISTED.] Personal property, includ-
2 ing the shares of every kind of incorporated bank located within the State,
3 whether such bank has been organized under the laws of this State or of the
4 United States, and also the taxable personal property of railroads as herein
5 elsewhere provided, shall be listed between the first day of April and the first
6 day of June of each year when required by the assessor, with reference to the
7 quantity held or owned on the first day of April in the year for which the prop-
8 erty is required to be listed. Personal property purchased or acquired on the
9 first day of April shall be listed by or for the person purchasing or acquir-
10 ing it.

Sec. 125. PERSONAL PROPERTY—WHERE LISTED.] Personal property, except
2 such as is required by law to be listed and assessed otherwise, shall be listed
3 and assessed in the county, town, city, village or district where the owner re-
4 sides.

Sec. 126. REMOVING—WHERE OWNER ASSESSED.] The owner of personal
2 property removing from one county, town, city, village or district to another,
3 between the first day of April and the first day of June, shall be assessed in
4 the one in which he is first called upon by the assessor. The owner of personal
5 property moving into this State from another State, between the first day of
6 April and the first day of June, shall list the property owned by him on the first
7 day of April of such year, in the county, town, city, village or district in which
8 he resides: *Provided*, if such person has been assessed and can make it appear
9 to the assessor that he is held for tax of the current year on the property, in
10 another State, county, town, city or district, he shall not be again assessed for
11 said year.

Sec. 127. HOW PLACE OF LISTING PERSONAL PROPERTY FIXED.] In all questions
2 that may arise under this Act as to the proper place to list personal property,

or when the same cannot be listed as stated in this Act, if between several places in the same county, the place for listing and assessing shall be determined and fixed by the county board of taxation; and when between different counties or places in different counties, by the Tax Commissioner; and when fixed in either case, shall be as binding as if fixed by this Act.

Sec. 128. LISTING ON BEHALF OF OTHERS.] Persons required to list property on behalf of others, shall list it in the same place in which they are required to list their own, but they shall list it separately from their own, specifying in each case the name of the person, estate, company or corporation to whom it belongs.

Sec. 129. CONSIGNEE ONLY HIS INTEREST.] No consignee shall be required to list, for taxation, the value of any property consigned to him for the sole purpose of being stored or forwarded, except to the extent of his interest in such property.

Sec. 130. FARM PROPERTY—OWNER NOT RESIDING ON FARM.] When the owner of live stock or other personal property connected with the farm does not reside thereon, the same shall be listed and assessed in the town or district where the farm is situated: *Provided*, if the farm is situated in several towns or districts, it shall be listed and assessed in the town or district in which the principal place of business on such farm shall be.

Sec. 131. OF MANUFACTURERS IN HANDS OF AGENTS.] The property of manufacturers and others, in the hands of agents, shall be listed and assessed at the place where the business of such agent is carried on.

Sec. 132. PURCHASER'S INTEREST IN EXEMPTED LANDS.] When real estate is exempt in the hands of the holder of the fee, and the same is contracted to be sold, the amount paid thereon by the purchaser, with the enhanced value of the investment and improvement thereon until the fee is conveyed, shall be held to be personal property and listed and assessed as such in the place where the land is situated.

Sec. 133. IN TRANSITU.] Personal property, *in transitu*, shall be listed and
 2 assessed in the county, town, city or district where the owner resides: *Provided*,
 3 if it is intended for a business, it shall be listed and assessed at the place where
 4 the property of such business is required to be listed.

Sec. 134. NURSERY STOCK.] The stock of nurseries, growing or otherwise, in
 2 the hands of nurserymen, shall be listed and assessed as merchandise.

Sec. 135. PERSONAL PROPERTY OF BANKS AND OTHERS.] The personal property
 2 of banks or bankers, brokers, stock-jobbers, insurance companies (except life
 3 insurance companies organized under the laws of this State), hotels, livery
 4 stables, saloons, eating houses, merchants, and manufacturers, ferries, mining
 5 companies, and companies not specially provided for in this Act, shall be listed
 6 and assessed in the county, town, city, village or district where their business
 7 is carried on, except such property as shall be liable to assessment elsewhere,
 8 in the hands of agents. All persons, companies and corporations in this State
 9 owning steamboats, sailing vessels, wharf boats, barges and other watercraft,
 10 shall be required to list the same for assessment and taxation in the county, town,
 11 city, village or district in which the same may belong or be enrolled, registered
 12 or licensed, or kept when not enrolled, registered or licensed. All property and
 13 assets of life insurance companies organized under the laws of this State shall
 14 be assessed to the corporation as to a natural person, in the name of the cor-
 15 poration, in the county, town, city, village or district of its residence, as herein
 16 provided and not otherwise. The place where its office is located in its articles
 17 of incorporation shall be deemed its residence: *Provided*, its business is actual-
 18 ly transacted at such office; but if it shall establish its principal office in any
 19 other place than the place named in its articles of incorporation, then the place
 20 where it transacts its principal business shall be deemed its residence for all
 21 the purposes of this Act. In computing the taxable property of life insurance
 22 companies organized under the laws of this State, the value of the real prop-
 23 erty on which the company pays taxes shall be deducted from its net admitted
 24 assets above liabilities, as testified and shown by the latest report of the Insur-

25 ance Superintendent, and the remainder shall be the amount of personal prop-
 26 erty for which the company shall be assessed. The term "life insurance com-
 27 panies organized under the laws of this State," as used in this section, shall not
 28 be construed to apply to fraternal beneficiary societies, or to corporations oper-
 29 ating on the assessment plan, organized under the laws of this State.

Sec. 136. PERSONAL PROPERTY OF GAS AND COKE COMPANIES.] The personal
 2 property of gas and coke companies, except the pipes laid down, shall be listed
 3 and assessed in the town, village, district or city where the principal works are
 4 located. Gas mains and pipes laid in roads, streets or alleys shall be held to be
 5 personal property, and listed and assessed as such, in the town, district, village
 6 or city where the same are laid.

Sec. 137. PERSONAL PROPERTY OF STREET RAILROADS, PLANK ROAD, GRAVEL ROAD,
 2 TURNPIKE OR BRIDGE COMPANIES.] The personal property of street railroad, plank
 3 road, gravel road, turnpike or bridge companies, except the track, road or bridge,
 4 shall be listed and assessed in the county, town, district, village or city where
 5 the principal place of business is located. The track, road or bridge shall be held
 6 to be personal property and listed and assessed as such, in the town, district,
 7 village or city where the same is located or laid.

Sec. 138. HORSES, STAGES AND OTHER PERSONAL PROPERTY OF STAGE COMPANIES.]
 2 The horses, stages and other personal property of stage companies or persons
 3 operating stage lines, shall be listed and assessed in the county, town, city or
 4 district where they are usually kept.

Sec. 139. PERSONAL PROPERTY OF EXPRESS OR TRANSPORTATION COMPANIES.]
 2 The personal property of express or transportation companies shall be listed
 3 and assessed in the county, town, district, village or city where the same is
 4 usually kept.

Sec. 140. INTEREST ON BONDS.] Persons, for themselves or others, holding
 2 bonds or stocks of any kind, the principal of which bonds or stocks has been or

3 may hereafter be exempt from taxation, shall list the amount of accrued in-
4 terest on such bonds, without regard to the time when the same is to be paid.

Sec. 141. MONEY SECURED BY DEED.] Where a deed for real estate is held for
2 the payment of a sum of money, such sum, so secured, shall be held to be per-
3 sonal property, and shall be listed and assessed as credits.

Sec. 142. SHARES OF STOCK OF MUTUAL BUILDING, LOAN AND HOMESTEAD ASSO-
2 CIATIONS.] The stockholders of every mutual building, loan and homestead as-
3 sociation for the purpose of building and improving homesteads and loaning
4 money to the members thereof only, whether such association is organized under
5 the laws of this State or of any other state or territory of the United States,
6 shall list for taxation with the local assessor where such stockholders reside,
7 the number of shares of stock of such association owned by them respectively
8 and the value thereof on the first day of April in each year, and the same shall
9 be assessed against such stockholders and the taxes thereon collected in the
10 same manner as on other personal property.

Sec. 143. WHEN STOCKHOLDERS OF MUTUAL BUILDING, LOAN AND HOMESTEAD
2 ASSOCIATIONS RESIDE OUT OF THE STATE.] The shares of stock of all stockholders
3 residing without this State of associations provided in Section 142 of this Act,
4 shall be assessed by the local assessor where such associations are located.

Sec. 144. MODE OF DETERMINING VALUE OF STOCK.] In determining the value
2 of such stock for the purpose of taxation the value of the real estate owned by
3 such associations shall be first deducted from their assets and such real estate
4 shall be assessed in the manner provided by law.

Sec. 145. PAWNBROKER.] Every person or company engaged in the busi-
2 ness of receiving property in pledge or as security for money or other thing
3 advanced to the pawner or pledger, shall be held to be a pawnbroker, and shall,
4 at the time required by this Act, return under oath the value of all property
5 pledged and held by him, as a pawnbroker, on hand on the first day of April,

6 annually, and taxes shall be charged upon the fair cash value of such prop-
 7 erty, to such pawnbroker, the same as other property.

Sec. 146. FRANCHISE TO BE LISTED AND VALUED.] Every person owning or
 2 using a franchise granted by any law of this State, shall, in addition to his
 3 other property, list the same as personal property, giving the total value
 4 thereof.

Sec. 147. HOW SHARES OF STOCK OF STATE AND NATIONAL BANKS ASSESSED AND
 2 TAXED—LIST OF STOCKHOLDERS TO BE KEPT.] The stockholders of every kind of in-
 3 corporated bank located within the State, whether such bank has been organized
 4 under the banking law of this State, or of the United States shall be assessed
 5 and taxed upon the value of their shares of stock therein, in the county, town, dis-
 6 trict, village or city where such bank or banking association is located and not
 7 elsewhere, whether such stockholders reside in such place or not. The value of
 8 such shares of stock for the purpose of taxation, shall be ascertained by deduct-
 9 ing from the value of all the shares of capital stock of such bank, the fair cash
 10 value of the real estate owned by such bank or banking association situated in
 11 the county in which such bank or banking association is located as determined by
 12 the assessor. Such shares shall be listed and assessed with regard to the owner-
 13 ship and value thereof as they existed on the first day of April annually, subject
 14 however, to the restriction that taxation of such shares shall not be at a greater
 15 rate than is assessed upon any other moneyed capital in the hands of individual
 16 citizens of this State, in the county, town, district, village or city where such
 17 bank is located. The shares held in this State, of capital stock of National banks
 18 not located in this State, shall not be required to be listed under the provisions of
 19 this Act .

20 In every kind of incorporated bank whether such bank has been organized
 21 under the banking laws of this State, or of the United States, there shall be kept
 22 at all times a full and correct list of the names and residences of its stockholders,
 23 and of the number of shares held by each; which list shall be subject to the in-
 24 spection of the officers authorized to assess property for taxation.

Sec. 148. CAPITAL OF BANKS, OTHER THAN STATE AND NATIONAL BANKS.]

2 Every bank (other than banks incorporated under the banking laws of this State
3 or of the United States), banker, broker, or stock jobber shall be assessed and
4 taxed upon the value of the capital employed in such business, in the county,
5 town, district, village or city, where such bank or business is located, whether the
6 owners or stockholders reside in such place or not, and shall be so listed. The
7 value of such capital for the purpose of taxation shall be ascertained by deduct-
8 ing from the value of the capital employed in such bank or business the fair cash
9 value of real estate, owned by such bank or business situated in the county in
10 which such bank or business is located as determined by the asses-
11 sor. Such capital shall be listed and assessed with regard to the ownership and
12 value thereof as it existed on the first day of April annually; and shall be as-
13 sessed and taxed at the same rate, as the shares of stock of banks incorporated
14 under the banking laws of this State or of the United States.

Sec. 149. "ROLLING STOCK"—HOW LISTED AND TAXED.] The movable prop-
2 erty belonging to a railroad company, consisting of locomotives of all classes,
3 passenger cars of all classes, sleeping cars and dining cars, express cars, bag-
4 gage cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, pay
5 cars, hand cars and all other kinds of cars, shall be held to be personal property
6 and denominated for the purpose of taxation, "rolling stock"; and shall be list-
7 ed and taxed in the several counties, towns, villages, districts and cities, in the
8 proportion that the length of the main track used or operated in such county,
9 town, village, district or city bears to the whole length of the road used or oper-
10 ated by such person, company or corporation, whether owned or leased by him
11 or them in whole or in part.

Sec. 150. PERSONALTY OF RAILROADS EXCEPT "ROLLING STOCK"—WHERE LISTED
2 AND ASSESSED.] The tools and materials for repairs, and all other personal prop-
3 erty of any railroad except "rolling stock," shall be listed and assessed in the
4 county, town, village, district or city wherever the same may be on the first day
5 of April of the year in which assessed.

Sec. 151. OFFICE FURNITURE AND OTHER PERSONAL PROPERTY OF PUBLIC UTILI-

2 TIES.] The office furniture and other personal property of public utilities shall
3 be listed and assessed in the county, town, district, village or city where the
4 same is used or kept, except as otherwise provided in this Act.

(3) Real Estate.

Sec. 152. RULES FOR VALUING REAL ESTATE.] Real property shall be valued as

2 follows:

3 First: Each tract or lot of real property shall be valued at its fair cash
4 value, estimated at the price it would bring at a fair, voluntary sale.

5 Second: Taxable leasehold estates shall be valued at such a price as they
6 would bring at a fair, voluntary sale for cash.

7 Third: When a building or structure is located on the right of way of any
8 canal, railroad or other company leased or granted for a term of years to an-
9 other, the same shall be valued at such a price as such building or structure or
10 lease or grant would sell at a fair, voluntary sale for cash.

11 Fourth: In valuing any real property on which there is a coal or other mine,
12 or stone or other quarry, the same shall be valued at such a price as such prop-
13 erty, including the mine or quarry, would sell at a fair voluntary sale for cash.

Sec. 153. REAL PROPERTY—WHEN AND HOW LISTED AND ASSESSED.] All real

2 property subject to taxation under the general revenue laws of the State, in-
3 cluding real estate becoming taxable for the first time, shall be listed in the name
4 of the owner or owners thereof, by such owners or persons required by law, or
5 their agents, or the officers or assessing bodies, provided by law, and assessed
6 for the year 1919, and every fourth year thereafter, with reference to the amount
7 owned on the first day of April in the year in which the same is assessed, in-
8 cluding all property purchased on that day, which assessment shall be known
9 as the general assessment, and as modified or equalized or changed as provided
10 by law, shall be the assessment upon which taxes shall be levied and extended
11 during the quadrennial period for which the same is made. No assessment of

12 real property shall be considered as illegal by reason of the same not being listed
13 or assessed in the name of the owner or owners thereof.

Sec. 154. OWNER TO PLAT—RECORD—DESCRIPTION.] In all cases where any
2 tract or lot of land is divided in parcels, so that it cannot be described without
3 describing it by metes and bounds, it shall be the duty of the owner to cause such
4 land to be surveyed and platted into lots. Such plat shall be certified and re-
5 corded. The description of real estate, in accordance with the number and de-
6 scription set forth in the plat, aforesaid, shall be deemed a good and valid de-
7 scription of the lot or parcel of land so described.

Sec. 155. OWNER NEGLECTING—COUNTY CLERK TO CAUSE PLAT, ETC.] If the
2 owner of any such tract or lot shall refuse or neglect to cause such survey to be
3 made within thirty (30) days after having been notified by the county clerk, by
4 publication of a notice in a newspaper in the county having general circulation,
5 at least three times, said clerk shall cause such survey to be made and recorded;
6 and the expenses of the publication of such notice and of making such survey
7 shall be added to the tax levied on such real property, and when collected shall
8 be paid, on demand, to the persons to whom it is due.

Sec. 156. HOW LANDS LISTED AS BETWEEN COUNTIES.] Any tract of land not
2 exceeding one-sixteenth of a section, shall be listed in the county where the
3 greater part thereof is situated. When any such tract of land shall be situated
4 equally in two counties, the Tax Commissioner shall determine in which county
5 it shall be listed. If there be several tracts similarly situated, the Tax Commis-
6 sioner shall apportion them equally between the counties as nearly as practica-
7 ble. County clerks may have the actual contents of such tracts lying in their
8 respective counties, surveyed, platted and recorded, in the manner provided
9 for in other cases.

Sec. 157. HOW LANDS LISTED AS BETWEEN TOWNS.] The foregoing rule shall
2 apply to lands lying in different towns: *Provided*, the county clerk shall act in
3 said cases instead of the Tax Commissioner.

Sec. 158. "RAILROAD TRACK"—DESCRIPTION OF.] The right of way of any

2 railroad, owned, operated or constructed in this State, by any person, company
3 or corporation, including the superstructures of main, side or second track and
4 turnouts, and the station and improvements of the railroad company on such
5 right of way, shall be held to be real estate for the purposes of taxation, and
6 denominated "railroad track," and shall be so listed and valued; and shall be
7 described in the assessment thereof as a strip of land extending on each side of
8 such railroad track, and embracing the same, together with all the stations and
9 improvements thereon, commencing at a point where such railroad track crosses
10 the boundary line in entering the county, city, town or village, and extending
11 to a point where such track crosses the boundary line leaving such county, city,
12 town or village, or the point of termination in the same, as the case may be,
13 containing acres, more or less (inserting the name of the county, town-
14 ship, city, town or village boundary line of same, and number of acres, and
15 length in feet), and when advertised or sold for taxes, no other description shall
16 be necessary.

Sec. 159. WHERE "RAILROAD TRACK" LISTED AND ASSESSED.] The value of the

2 "railroad track" as herein elsewhere defined, shall be listed and taxed in the
3 several counties, towns, villages, districts and cities, in the proportion that the
4 length of the main track in such county, town, village, district or city bears to
5 the whole length of the road in this State, except the value of the side or second
6 track, and all turnouts and all station houses, depots, machine shops or other
7 buildings belonging to the road, which shall be taxed in the county, town, vil-
8 lage, district or city in which the same are located.

Sec. 160. REAL ESTATE OF RAILROADS, OTHER THAN "RAILROAD TRACK"—WHERE

2 LISTED.] All real estate, including the stations and other buildings and struc-
3 tures thereon, other than that denominated "railroad track," belonging to any
4 railroad, shall be listed as lands or lots, as the case may be, in the county, town,
5 village, district or city where the same are located.

Sec. 161. BRIDGES ON BORDER OF STATE —HOW ASSESSED.] All bridge structures across any navigable stream forming the boundary line between the State of Illinois and any other state, shall be assessed in the county or town where the same are located, as real estate, and all provisions of the law relating to the assessment and taxation of real estate, shall apply to the assessment and taxation of such bridges.

Sec. 162. LEASEHOLD INTEREST IN EXEMPTED LANDS.] When real estate, which is exempt from taxation, is leased to another whose property is not exempt, and the leasing of which does not make the real estate taxable, the leasehold estate and the appurtenances shall be listed as the property of the lessee thereof, or his assignee, as real estate.

Sec. 163. WHEN CERTAIN LANDS BECOME TAXABLE.] Government lands entered or located on or prior to the first day of April shall be taxable for that year, and annually thereafter. School lands and lots sold shall be taxable in like manner as government lands. Lands and lots sold by the trustees of the Illinois and Michigan Canal shall be taxable from and after the time the full payment therefor is made. Illinois Central Railroad lands and lots shall be taxable from and after the time the last payment becomes due. Swamp lands and lots shall become taxable whenever the county sells, conveys, or agrees to convey its title: *Provided*, that canal, Illinois Central Railroad and swamp lands and lots shall be, in other respects, governed, as to the time of becoming taxable, the same as government lands.

Sec. 164. ABSTRACTS OF UNITED STATES, CANAL AND ILLINOIS CENTRAL RAILROAD LANDS.] On the first day of April in each year, or as soon thereafter as practicable, the Auditor of Public Accounts shall obtain from the United States land office in this State abstracts of the lands entered and located, and not previously obtained, and shall, at the same time, obtain from the Illinois Central Railroad, and canal offices, abstracts of the Illinois Central Railroad and canal lands sold. Upon the receipt of said abstracts, the auditor shall cause them to be transcribed into the tract books in his office, and shall, without delay, cause abstracts of the

9 lands in each county, including school lands reported to his office as having been
 10 sold, to be made out and forwarded by mail to the county clerks of the several
 11 counties; and said clerks shall cause such abstracts to be transcribed into the
 12 tract book, and filed in their offices. The expense of procuring and furnishing the
 13 abstracts required by this section shall be paid by the auditor out of the appro-
 14 priation for the expenses of his office.

Sec. 165. SWAMP LANDS.] The county clerks of the several counties shall,
 2 annually, report to the Auditor of Public Accounts a list of the swamp and over-
 3 flowed lands sold in their respective counties for the year ending on the first day
 4 of April, and the auditor shall enter the same in the tract books of his office.

(4) Capital and Other Property of Public Utilities and of Companies and Asso-
 ciations.

Sec. 166. CAPITAL AND OTHER PROPERTY—HOW VALUED AND ASSESSED.] The
 2 capital and other property in the State, including the franchise, over and above
 3 the fair cash value of the real and personal property otherwise assessable, of
 4 any public utility and of any company or association incorporated under the
 5 laws of this State or any other state or country, other than banks, insurance
 6 companies and mutual building, loan and homestead associations, shall be valued
 7 and assessed at its fair cash and equitable value as of the first day of April of
 8 each year, and in determining such value the assessing officer shall be guided
 9 by the value of the entire capital stock or the capital employed, as the case may
 10 be, of such public utility, company and association, and, in the case of public
 11 utilities doing business both within and without the State, also by the propor-
 12 tion of the entire capital and other property, which the miles of road, line, wire,
 13 or pipe, if any, as the case may be, over and by means of which such public
 14 utility operates or does business in the State, bears to the entire number of
 15 miles in the State and elsewhere over which it operates and does business;
 16 and, in the case of public utilities having no capital stock, or, having capital
 17 stock, which stock is not divided into shares, by the gross receipts thereof from
 18 the business of the public utility in the State for the year then next preceding

19 the first day of April, and in the case of such public utilities doing business
 20 both within and without the State, in the proportion which such gross receipts
 21 bear to the entire gross receipts within the State and elsewhere for the same
 22 period; and in all cases of such public utilities, companies and associations, by
 23 such other evidence and rules as will enable the assessing officer to arrive at
 24 the true value in money of the entire capital and other property of such public
 25 utility, company and association, as the case may be, within the State, and in
 26 the case of public utilities, companies and associations doing business
 27 both within and without the State, in the proportion which such
 28 property bears to the entire property thereof within the State and elsewhere,
 29 as determined by the capital stock, capital, miles of road, line, wire or pipe,
 30 gross receipts, as the case may be, and the other evidence and rules aforesaid.
 31 The State Finance Commission shall adopt such rules and principles for ascer-
 32 taining the fair cash value of such capital and other property as to it may seem
 33 equitable and just, and such rules when so adopted, if not inconsistent with this
 34 Act, shall be as binding and of the same effect as if contained in this Act, sub-
 35 ject, however, to such change, alteration or amendment as may from time to
 36 time be made by said commission: *Provided*, that in all cases where the cap-
 37 ital and other property of any company or association is assessed under this sec-
 38 tion, the shares of capital stock of such company or association shall not be as-
 39 sessed or taxed in this State.

Sec 167. CAPITAL AND OTHER PROPERTY OF PUBLIC UTILITIES—HOW LISTED AND
 2 ASSESSED.] The value of the capital and other property of railroads over and
 3 above the value of the real and personal property otherwise assessed, shall
 4 be listed and assessed in the several counties, cities, towns, villages and dis-
 5 tricts, in the same manner as the property of railroads denominated “railroad
 6 track” is listed and assessed. The value of the capital and other property,
 7 over and above the value of the real and personal property otherwise assessed,
 8 of other common carriers (except express companies), of telegraph and tele-
 9 phone companies, and of any public utility business for producing, transmitting,
 10 selling, delivering or furnishing heat, cold, light, power, electricity, or water, or

11 of conveying oil or gas by pipe line, shall be listed and assessed in the several
 12 counties, cities, towns, villages and districts in the proportion that the miles of
 13 road, line, wire or pipe, as the case may be, over or by means of which such
 14 public utility operates or does business in such county, city, town, village or dis-
 15 trict, bears to the entire number of miles in the State over which such public
 16 utility operates or does business.

17 The value of the capital and other property over and above the value of
 18 real and personal property otherwise assessed, of all other public utilities, in-
 19 cluding express companies, shall be listed and assessed in the several counties,
 20 cities, towns, villages and districts in the proportion that the gross receipts of
 21 such public utility, for the year then next preceding the first day of April, in
 22 such county, city, town, village or district, bears to the entire gross receipts
 23 thereof in the State for the same period.

Sec. 168. CAPITAL AND OTHER PROPERTY OF COMPANIES AND ASSOCIATIONS—HOW
 2 LISTED AND ASSESSED.] The value of the capital and other property over and
 3 above the value of the real and personal property otherwise assessed, of com-
 4 panies and associations incorporated under the laws of this State or any other
 5 state or country, other than public utilities, shall be listed and assessed on the
 6 first day of April in the several counties, cities, towns, villages and districts
 7 where the principal offices or places of business, in this State, of such company
 8 or association are located, or, if there be no principal office or place of business
 9 in this State, then at the place in this State where any such company or asso-
 10 ciation transacts its business.

(b) *Schedules.*

Sec. 169. SCHEDULE—ASSESSED VALUE.] The assessor shall furnish to each
 2 person required to list personal property a printed blank schedule, in the form
 3 hereinafter provided, upon which shall be printed a notice substantially as fol-
 4 lows:

5 “*This schedule must be filled out, sworn to and returned to me in person or*
 6 *by mail at (Address) on or before*

7 You are to give a full, fair cash value of the articles
 8 mentioned as well as the amount of money required to be returned. Only one-
 9 third of the several amounts will be taken and assessed for the purpose of tax-
 10 ation.

11 (Signature)

12 Assessor."

13 There shall also be printed upon such blank, the form of schedule herein-
 14 after set forth and the following, which are parts of this section:

15 And every person required to list personal property or money shall fill out,
 16 subscribe and swear to, and return to the assessor, in person or by mail, at the
 17 time required, such schedule in accordance with law, giving the numbers,
 18 amounts, quantity and quality of all the articles enumerated in said schedule by
 19 him possessed, or under his control, required to be listed by him for taxation.
 20 The assessor shall determine and fix the fair cash value of all items of personal
 21 property, including all grain on hand on the first day of April, and set down
 22 the same, as well as the amounts of notes, accounts, bonds, and moneys, in a col-
 23 umn, headed "full value," and ascertain and assess the same at one-third part
 24 thereof, and set down said one-third part thereof in a column headed "assessed
 25 value," which last amount shall be the assessed value thereof for all purposes
 26 of taxation. The assessor, or some person authorized by law to administer an
 27 oath, shall administer the oath required for this schedule.

28 Such schedule, when completed by the assessor in extending in a separate
 29 column the value of such property, shall truly and distinctly set forth:

30 *First*—The number of horses of all ages, and the value thereof.

31 *Second*—The number of cattle of all ages, and the value thereof.

32 *Third*—The number of mules and asses of all ages, and the value thereof.

33 *Fourth*—The number of sheep of all ages, and the value thereof.

34 *Fifth*—The number of hogs of all ages, and the value thereof.

35 *Sixth*—Every steam engine, including boilers, and the value thereof.

36 *Seventh*—Every fire or burglar-proof safe, and the value thereof.

37 *Eighth*—Every billiard, pigeon hole, bagatelle or other similar table, and
 38 the value thereof.

39 *Ninth*—Every carriage, wagon, automobile and motor vehicle, of whatso-
 40 ever kind, and the value thereof.

41 *Tenth*—Every watch and clock, and the value thereof.

42 *Eleventh*—Every sewing or knitting machine, and the value thereof.

43 *Twelfth*—Every piano forte, and the value thereof.

44 *Thirteenth*—Every melodeon and organ, and the value thereof.

45 *Fourteenth*—Every franchise, the description and the value thereof.

46 *Fifteenth*—Every annuity and royalty, the description and the value thereof.

47 *Sixteenth*—Every patent right, the description and the value thereof.

48 *Seventeenth*—Every steamboat, sailing vessel, wharf-boat, barge or other
 49 water craft, and the value thereof.

50 *Eighteenth*—The value of merchandise on hand.

51 *Nineteenth*—The value of material and manufactured articles on hand.

52 *Twentieth*—The value of manufacturers' tools, implements and machinery
 53 (other than boilers and engines, which shall be listed as such).

54 *Twenty-first*—The value of agricultural tools, implements and machinery.

55 *Twenty-second*—The value of gold or silver plate and plated ware.

56 *Twenty-third*—The value of diamonds and jewelry.

57 *Twenty-fourth*—The amount of moneys of bank, banker, broker or stock-
 58 jobber.

59 *Twenty-fifth*—The amount of credits of bank, banker, broker, or stock-
 60 jobber.

61 *Twenty-sixth*—The amount of moneys other than of bank, banker, broker, or
 62 stock-jobber.

63 *Twenty-seventh*—The amount of credits other than of bank, banker, broker
 64 or stock-jobber.

65 *Twenty-eighth*—The amount and value of bonds and stocks.

66 *Twenty-ninth*—The amount and value of shares of capital stock of compan-
 67 ies and associations not incorporated by the laws of this State.

68 *Thirtieth*—The value of property such person is required to list as a
69 pawnbroker.

70 *Thirty-first*—The value of property of companies and corporations other
71 than property hereinbefore enumerated.

72 *Thirty-second*—The value of bridge property.

73 *Thirty-third*—The value of property of saloons and eating-houses.

74 *Thirty-fourth*—The value of household or office furniture and property.

75 *Thirty-fifth*—The value of investments in real estate and improvements
76 thereon required to be listed under this Act.

77 *Thirty-sixth*—The value of all other property required to be listed.

Sec. 170. PENALTY FOR NOT MAKING.] The assessor shall require every per-

2 son to make, sign and swear to the said schedule. If any person shall refuse to
3 make the schedule herein required, or to subscribe and swear to the same, the
4 assessor shall list the property of such person according to his best knowledge,
5 information and judgment, at its fair cash value, and shall add to the valuation
6 of such list an amount equal to fifty (50%) per cent. of such valuation.

7 Any person so required to list personal property who shall refuse, neglect or
8 fail when requested by the proper assessor, so to do, shall be deemed guilty of
9 a misdemeanor and on conviction thereof shall be fined in any sum not exceeding
10 two hundred (\$200) dollars and the several assessors shall report any such re-
11 fusal to the State's Attorney of the county, whose duty it is hereby made to
12 prosecute the same, and in case anyone refuses to sign said assessment sched-
13 ule and swear to the same, the assessor shall note the fact in the column of re-
14 marks opposite such person's name; and any assessor failing to have said as-
15 sessment schedule so signed by the person assessed and an oath administered as
16 required by law, or failing to make such note that the person or proper offi-
17 cer of the corporation refuses so to do, shall for each offense be fined not less
18 than one hundred (\$100) dollars nor more than five thousand (\$5,000) dollars.

Sec. 171. RULES FOR LISTING CREDITS—WHAT DEBTS DEDUCTED FROM CREDITS.]

2 In making up the amount of credits which any person is required to list for him-

self, or for any other person, company or corporation, he shall be entitled to deduct from the gross amount of credits the amount of all bona fide debts owing by such person, company or corporation, to any other person, company or corporation, for a consideration received; but no acknowledgment of indebtedness not founded on actual consideration, believed when received to have been adequate, and no such acknowledgment made for the purpose of being so deducted, shall be considered a debt within the meaning of this section; and so much only of any liability, as surety for others, shall be deducted as the person making out the statement believes he is legally and equitably bound, and will be compelled to pay on account of the inability or insolvency of the principal debtor; and if there are other sureties who are able to contribute, then only so much as the surety in whose behalf the statement is made will be bound to contribute: *Provided*, that nothing in this section shall be so construed as to apply to any bank, company or corporation exercising banking powers or privileges, or to authorize any deductions allowed by this section from the value of any other item of taxation than credits.

Sec. 172. WHAT DEBTS NOT DEDUCTED.] No person, company or corporation shall be entitled to any deduction from the amount of any bonds, stocks, or money loaned, or on account of any bond, note or obligation of any kind, given to any insurance company on account of premiums or policies, nor on account of any unpaid subscription to any religious, literary, scientific or charitable institution or society, nor on account of any subscription to or installment payable on the capital stock of any company whether incorporated or unincorporated.

Sec. 173. DEDUCTIONS VERIFIED BY OATH—PERJURY—FINES—STATEMENTS PRE-
SERVED.] In all cases where deductions are claimed from credits, the assessor shall require that such deductions be verified by the oath of the person, officer or agent claiming the same; and any such person, officer or agent, knowingly or wilfully making a fraudulent statement of such deductions claimed, so verified by affidavit, shall be liable to a fine of not less than one hundred (\$100) dollars, nor more than one thousand (\$1,000) dollars. In addition to all damages sustained by the State, county or other local corporation, to be recovered in any

9 proper form of action in any court of competent jurisdiction, in the name of
 10 the People of the State of Illinois. Such fines, when recovered, shall be paid into
 11 the county treasury, and damages, when collected, shall be paid to whom they
 12 belong. The statements of deduction thus claimed, so verified by affidavit, shall
 13 be preserved for two years; and at the expiration of such time said statements
 14 of deductions shall be destroyed, but, in the meantime, shall be subject only to
 15 the inspection of the officers charged with the execution of this law.

Sec. 174. SCHEDULES OF RAILROADS—FIRST OF APRIL.] Every person, company
 2 or corporation owning, operating or constructing a railroad in this State, shall
 3 return sworn lists or schedules of the taxable property of such railroad. Such
 4 property shall be listed and assessed with reference to the amount, kind and
 5 value on the first day of April of the year in which they are listed. They shall
 6 in the month of April in each year when required, make out and file with the
 7 county clerks of the respective counties in which the railroad may be located,
 8 a statement or schedule showing the property held for right of way, and the
 9 length of the main and all side and second tracks and turnouts in such county,
 10 and in each city, town and village in the county, through or into which the road
 11 may run, and describing each tract of land, other than a city, town or village
 12 lot, through which the road may run, in accordance with the United States sur-
 13 veys, giving the width and length of the strip of land held in each tract, and
 14 the number of acres thereof. They shall also state the value of improvements
 15 and stations located on the right of way. New companies shall make such state-
 16 ment in April next after the location of their roads. When such statement shall
 17 have once been made, it shall not be necessary to report the description as here
 18 inbefore required, unless directed so to do by the county board; but the company
 19 shall, during the month of April, annually, report the value of such property,
 20 by the description set forth in the next section of this Act, and note all additions
 21 or changes in such right of way as shall have occurred.

Sec. 175. "ROLLING STOCK"—SCHEDULE.] Every person, company or cor-
 2 poration owning, constructing or operating a railroad in this State, shall, in the

month of April, annually, return a list or schedule, which shall contain a correct detailed inventory of all the "rolling stock" (herein elsewhere defined) belonging to such company, and which shall distinctly set forth the number of locomotives of all classes, passenger cars of all classes, sleeping and dining cars, express cars, baggage cars, horse cars, cattle cars, coal cars, platform cars, wrecking cars, pay cars, hand cars, and all other kinds of cars. Said list or schedule shall set forth the number of miles of main track on which said "rolling stock" is used in the State of Illinois, and the number of miles of main track on which said "rolling stock" is used elsewhere.

Sec. 176. RAILROAD RETURNS TO TAX COMMISSIONER.] At the same time that

the lists or schedules of railroads are hereinbefore required to be returned to the county clerks, the person, company or corporation owning, operating or constructing any railroad in this State shall return to the Tax Commissioner sworn statements or schedules, as follows:

First—Of the property denominated "railroad track," giving the length of the main and side or second tracks and turnouts, and showing the proportions in each county and the total in the State.

Second—The "rolling stock," giving the length of the main track in each county, the total in this State and the entire length of the road.

Third—Showing the number of ties in track per mile, the weight of iron or steel per yard, used in main and side tracks; what joints or chairs are used in track, the ballasting of road, whether gravel or dirt, the number and quality of buildings or other structures on "railroad track," the length of time iron in track has been used, and the length of time the road has been built.

Fourth—A statement or schedule showing:

1. The amount of capital stock authorized, and the number of shares into which such capital stock is divided.

2. The amount of capital stock paid up.

3. The market value, or if no market value, then the actual value of the shares of stock.

22 4. The total amount of all indebtedness, except for current expenses for
23 operating the road.

24 5. The total listed valuation of all its tangible property in this State.

25 Such schedules shall be made in conformity to such instructions and forms
26 as may be prescribed by the State Finance Commission.

Sec. 177. DESCRIPTION OF PLATTED LAND OF RAILROADS.] When any railroad
2 company shall make or record a plat of any contiguous lots or parcels of land
3 belonging to it, the same may be described as designated on such plat.

Sec. 178. SCHEDULES OF OTHER PUBLIC UTILITIES.] Every corporation, com-
2 pany, association, joint stock company or association, firm, partnership or in-
3 dividual, engaged in this State in the business of public utility, other than rail-
4 roads, shall in the month of April, annually, make out and file with the county
5 clerks of the respective counties in which the public utility operates or is en-
6 gaged, a statement or schedule showing, in the case of common carriers except
7 railroads and express companies, and in the case of telegraph and telephone
8 companies and in the case of businesses of producing, transmitting, selling, de-
9 livering or furnishing heat, cold, light, power, electricity or water, or of convey-
10 ing oil or gas by pipe line, the whole length of the tracks, lines, wires and pipes
11 used under lease or otherwise in such county, and in each of the various taxing dis-
12 tricts in the county through or in which such corporation, company, association,
13 joint stock company or association, firm, partnership, or individual, operates or
14 is engaged; and in the case of all other public utilities, other than railroads, in-
15 cluding express companies, the gross receipts for the year ending the first day of
16 April, from whatever source derived, of each office within such county, and within
17 each of the various taxing districts in the county. Such schedule shall show, also,
18 a detailed statement of the real and personal property owned or used by such
19 corporation, company, association, joint stock company or association, firm,
20 partnership, or individual in the State on the first day of April, where situate,
21 and the listed value thereof.

Sec. 179. STATEMENTS OF OTHER "PUBLIC UTILITIES" TO TAX COMMISSIONER.]

2 Every corporation, company, association, joint stock company or association,
3 firm, partnership or individual, engaged in this State in the business of public
4 utility, other than railroads, shall, in the month of April, annually, make and
5 file with the Tax Commissioner a sworn statement in such form as may be pre-
6 scribed by the State Finance Commission, which statement shall contain:

7 1. The name of the company, association, corporation or business of pub-
8 lic utility and if an individual carrying on the business, the name of the indi-
9 vidual.

10 2. The nature of the company, whether a corporation, joint stock company
11 or association, association, company or individual, and if a corporation, joint
12 stock company or association or other company or association organized under
13 law, under the laws of what State or country organized; and the nature of the
14 public utility business in which engaged.

15 3. The location of the principal office in the State.

16 4. The names and post-office addresses of the president, secretary, auditor,
17 treasurer, superintendent or general manager, and the chief or managing officer
18 in the State, of the public utility.

19 5. The number of shares or, if not divided into shares, the nature of the
20 division or interests in the capital stock, if any, or the nature of the interests
21 or shares in the capital if without capital stock.

22 6. The par value and market value, or if no market value, the actual value
23 of the shares of stock, if any, on the first day of April; or if no capital stock,
24 the amount and value of the capital of the public utility on said day.

25 7. The total amount of all indebtedness, except the indebtedness for current
26 expenses, excluding from such expenses the amount paid for the purchase or im-
27 provement of property.

28 8. A detailed statement of the real estate and personal property owned
29 or used by such corporation, company, association, joint stock company or as-
30 sociation, firm, partnership, or individual, in the State, in the business of such

31 public utility, on the first day of April, where situate, and the listed value
32 thereof.

33 9. The total value of the real estate and personal property owned or used
34 by such public utility in such business and situate outside of the State, if any.

35 10. The entire gross receipts of such public utility from whatsoever source
36 derived, for the year ending the first day of April, of business wherever done.

37 11. The gross receipts for the year ending the first day of April from
38 whatever source derived of each office within the State, specifying the location
39 of the various offices, and the total receipts of the public utility for such period,
40 in the State.

41 12. If a company, association, firm, partnership or individual having no
42 capital stock, the amount and value of the capital of such public utility on the
43 first day of April.

44 13. In the case of "common carriers" except railroads and express com-
45 panies owned or operated by any such corporation, company, association, joint
46 stock company or association, firm, partnership or individual, and in the case of
47 telegraph and telephone companies, owned or operated by any such corpora-
48 tions, bodies or persons, and in the case of any such corporations, bodies or per-
49 sons, owning, operating or engaged in the business of producing, transmitting,
50 selling, delivering or furnishing heat, cold, light, power, electricity or water, or
51 of conveying oil or gas by pipe line; the whole length of the tracks, lines, wires
52 and pipes said corporations, bodies and persons used under lease or otherwise,
53 and the miles of track, lines, wire and pipe in each county in the State.

54 14. In the case of "express companies" operated by such corporations,
55 bodies or persons, the whole length of the lines of land and water routes, over
56 which the "express company" did business on the first day of April, and the
57 length of so much of such lines of land and water transportation as is within
58 the State, and the length of the said lines within each county in the State, nam-
59 ing the lines within the State.

60 15. Such other facts and information as the State Finance Commission re-
61 quires in the form of returns prescribed by it.

Sec. 180. STATEMENTS OF COMPANIES AND ASSOCIATIONS OTHER THAN PUBLIC

UTILITIES, BANKS, ETC.] Every company or association incorporated under the laws of this State or of any other state or country, doing business in this State, (other than public utilities, and companies and associations incorporated for purely manufacturing and mercantile purposes, or for either of such purposes, or for the mining and sale of coal, or for printing, or for publishing of newspapers, or for the improving and breeding of stock; banks, insurance companies and mutual building, loan and homestead associations) shall at the time fixed by this Act for listing personal property, make out and furnish the assessor, a sworn statement, which statement shall contain:

1. The name of the company or association.

2. The nature thereof, whether a corporation, joint stock company or association or other organization, and under the laws of what state or country organized, and the nature of the business in which it is engaged.

3. The location of the principal office in the State.

4. The names and postoffice addresses of the president, secretary, auditor, treasurer, and the chief or managing officer in the State.

5. The amount of capital stock authorized, the number of shares into which such capital stock is divided, the amount of capital stock paid up and the par value and the market value, or if no market value, the actual value of the shares of stock, or if no capital stock, the amount and value of the capital, of such associations and companies on the first day of April.

6. The total amount of all indebtedness, except the indebtedness for current expenses, excluding from such expenses the amount paid for the purchase or improvement of property.

7. A detailed statement of the real estate and personal property, in the State, owned or used by such company or association, in the business on the first day of April, where situate and the value thereof.

8. The total value of the real estate and personal property owned or used by such company or association and situated outside the State, if any.

31 9. Such other facts and information as the State Finance Commission re-
32 quires in the form of returns prescribed by it.

33 In all cases of failure or refusal of any person, officer, company, or associa-
34 tion to make such return or statement, it shall be the duty of the assessor to make
35 such return or statement from the best information which he can obtain.

Sec. 181. STATEMENTS OF BANKS OTHER THAN STATE AND NATIONAL BANKS.]

2 Every bank (other than banks incorporated under the banking laws of this State
3 or of the United States), banker, broker, or stock-jobber shall at the time fixed
4 by this Act, for listing personal property, make and furnish the assessor a
5 sworn statement, which statement shall contain:

- 6 1. The name and location of the business within the State.
- 7 2. The amount of capital, surplus and undivided profits, in such business.
- 8 3. The amount of all deposits made with it by other parties.
- 9 4. The amount of all accounts payable other than current deposit accounts.
- 10 5. The amount of money on hand or in transit.
- 11 6. The amount of checks or other cash items.
- 12 7. The amount of funds in the hands of other banks, bankers, brokers or
13 others, subject to draft.
- 14 8. The amount of bills receivable, discounted or purchased, due or to be-
15 come due, and interest accrued but not due, and interest due and unpaid.
- 16 9. The amount of bonds and stocks of every kind, and shares of capital
17 stock or joint stock of other companies or corporations, held as an investment
18 or in any way representing assets.
- 19 10. The amount of bonds and other securities exempt by law from taxation,
20 specifying the amount and kind of each, the same being included in the preced-
21 ing item.
- 22 11. All other property appertaining to the business, other than real estate,
23 where situate and the value thereof.
- 24 12. All real estate owned or used in connection with such business, where
25 situate and the value thereof as assessed for taxation.

26 13. Such other facts and information as the State Finance Commission re-
 27 quires in the form of returns prescribed by it.

28 In all cases of failure or refusal of any person, officer, company or associa-
 29 tion to make such return or statement, it shall be the duty of the assessor to make
 30 such return or statement from the best information which he can obtain.

Sec. 182. WHEN OWNER, ETC., SICK OR ABSENT.] If any person required by
 2 this Act to list property shall be sick or absent when the assessor calls for a
 3 list of his property, the assessor shall leave at the office or usual place of resi-
 4 dence or business of such person, a written or printed notice, requiring such per-
 5 son to make out and leave at the place named by said assessor, on or before
 6 some convenient day named therein, the statement or schedule required by this
 7 Act. The date of leaving such notice, and the name of the person required to list
 8 the property, shall be carefully noted by the assessor in a book to be kept for
 9 that purpose.

Sec. 183. WHEN ASSESSOR MAY EXAMINE UNDER OATH AND LIST PROPERTY.]
 2 Whenever the assessor shall be of the opinion that the person listing property
 3 for himself or for any other person, company or corporation, has not made a
 4 full, fair and complete schedule of such property, he may examine such person
 5 under oath in regard to the amount of the property he is required to schedule,
 6 and for that purpose he is authorized to administer oaths; and if such person
 7 shall refuse to answer under oath and a full discovery make, the assessor may
 8 list the property of such person or his principal, according to his best judgment
 9 and information. If the person so examined shall swear falsely, he shall be guilty
 10 of perjury, and punished accordingly.

11 The assessor may examine, on oath, any person whom he may suppose to
 12 have knowledge of the amount or value of the personal property which the per-
 13 son so refusing is required to list. The assessor may take any proper form of
 14 action to compel the attendance of a witness.

15 In all cases of failure to obtain a statement of personal property, from any
 16 cause, it shall be the duty of the assessor to ascertain the amount and value of

17 and property, and assess the same as he believes to be the fair amount and
18 value thereof.

Sec. 184. PERSON ENTITLED TO COPY OF THE DESCRIPTION, SCHEDULE, ETC.] The
2 county assessor, the supervisor of assessments, or in counties having a board of
3 assessors, the chief clerk of such board, when requested, shall deliver to any per-
4 son a copy, signed by such assessor, supervisor or chief clerk, of the description,
5 schedule, return or statement of property assessed in his name or in which he
6 is interested, and the valuation placed thereon by the assessor or the county
7 board of taxation.

Sec. 185. LISTS OF STATEMENTS OF COMPANIES AND ASSOCIATIONS.] The assessor
2 shall prepare a list of the statements required by section 180 received from com-
3 panies and associations incorporated under the laws of the State of Illinois or of
4 other states and countries, with a list of statements made by himself for all such
5 companies and associations as have not made the statements required by such
6 section, and the assessor shall transmit such lists, with the statements so listed,
7 to the county clerk, who shall forward such lists and statements to the Tax Com-
8 missioner, at such time as may be required by the rules of the State Finance
9 Commission, not later than the time he makes his report and abstract of assess-
10 ments.

Sec. 186. WILFULLY FALSE OR FRAUDULENT SCHEDULE, ETC.—PENALTY—PER-
2 JURY.] Whoever, with intent to defeat or evade the law in relation to the as-
3 sessment of property, delivers or discloses to any assessing officer a false or
4 fraudulent list, return or schedule of his property not exempted by law from tax-
5 ation, shall be punished by a fine not exceeding five thousand (\$5,000) dollars or
6 imprisonment in the county jail not exceeding one year, or both in the discretion
7 of the court.

8 Whoever shall wilfully make a false list, schedule or statement, under oath,
9 shall, in addition to the penalty provided in the preceding section, be liable as in
10 the case of perjury.

Sec. 187. NEGLECT TO RETURN SCHEDULE OF RAILROADS.] If any person, company or corporation, owning, operating or constructing any railroad, shall neglect to return to the county clerks the statements or schedules required to be returned to them, the property so to be returned and assessed by the assessor shall be listed and assessed as other property. In case of failure to make returns to the Tax Commissioner as hereinbefore provided, the Tax Commissioner with the assistance of the county clerks and assessors, when he shall require such assistance, shall ascertain the necessary facts. In case of failure to make said statements, either to the county clerk or Tax Commissioner, such corporation, company or person shall forfeit, as a penalty, not less than one thousand (\$1,000) dollars nor more than ten thousand (\$10,000) dollars for each offense, to be recovered in any proper form of action, in the name of the People of the State of Illinois, and paid into the State treasury.

Sec. 188. NEGLECT TO RETURN SCHEDULE OF OTHER PUBLIC UTILITIES, OF COMPANIES AND ASSOCIATIONS AND OF BANKS.] If any person, company or association, owning or operating any other public utility, or if any other company or association incorporated under the laws of this State or of any other state or country or any bank in this State, shall neglect, fail or refuse to return to the Tax Commissioner, the schedule or statement above provided, he or it shall be liable to a penalty of not less than ten (\$10) dollars nor more than two thousand (\$2,000) dollars, to be recovered in any proper form of action, in the name of the People of the State of Illinois, on the complaint of any person, and paid into the State treasury.

ARTICLE 3.

MODE OF ASSESSMENT.

(a) *By the Assessors and Supervisors of Assessments.*

(1) BOOKS, FORMS AND BLANKS.

Sec. 189. COUNTY CLERK TO MAKE UP DUPLICATE BOOKS OF LANDS OR LOTS TO BE ASSESSED FOR TAXES—WHEN TRIPLICATE—WHAT TO CONTAIN—HOW TO BE MADE—WHEN TO BE READY.] The county clerk shall, before the first day of April, in the

4 year 1919, and every fourth year thereafter, make up, in duplicate, in books to
5 be provided for that purpose, a list of lands and lots to be assessed for taxes in
6 the manner provided by law. He shall also annually after the adoption of this
7 Act before the first day of April make a list of lands and lots which are taxable,
8 or which shall become taxable for the first time, and which are not already listed,
9 and a list of lands and lots which have been subdivided and not listed by the
10 proper description.

11 When a whole section, half section, quarter section, or half quarter section,
12 belongs to one owner, it shall, at the request of the owner or his agent, be listed
13 as one tract, and when all lots in the same block belong to one owner, they shall,
14 at the request of the owner or his agent, be listed as a block. When several ad-
15 joining lots in the same block belong to the same owner, they shall, at the re-
16 quest of the owner or his agent, be included in one description: *Provided*, that
17 when any tract or parcel of real estate is situated in more than one town, or in
18 more than one school, road or other district, or is situated and assessed, in any
19 drainage district, for drainage purposes, the portion thereof in each town or
20 district shall be listed separately; and the lands in any drainage district shall
21 be listed correspondingly, as near as may be, to the respective subdivisions and
22 descriptions in the latest assessment roll of such drainage district. Said clerk
23 shall enter in the proper column opposite the respective tracts or lots, the name
24 of the owner thereof, so far as he shall be able to ascertain the same. Said
25 books shall contain columns in which may be shown the number of acres or lots
26 improved, and the value thereof; the number of acres or lots not improved, and
27 the value thereof; the total value; and such other columns as may be required.

28 The books for the assessment of property in counties not under township
29 organization, shall be made up by congressional townships, but parts or frac-
30 tional townships, less than full townships, may be added to full townships, at
31 the discretion of the county board. In counties under township organization,
32 said books shall be made to correspond with the organized townships. Separate
33 books shall be made for the assessment of property and the collection of all taxes

34 and special assessments thereon, within the corporate limits of cities, towns and
35 villages, if ordered by the county board.

36 The county clerk shall cause lists in such books to be carefully compared
37 with the list of taxable real property on file in his office, and shall cause such
38 assessment books, and all blanks necessary to be used by the assessor in the as-
39 sessment of real and personal property, to be in readiness for delivery to the
40 assessors, on or before the first day of April in each year.

Sec. 190. WHEN BOOKS AND BLANKS FOR THE ASSESSMENT TO BE DELIVERED TO
2 ASSESSOR, ETC.] It shall be the duty of the county assessor, the board of as-
3 sessors, or the supervisor of assessments, as the case may be, to call upon the
4 county clerk on or before the first day of April in each year and receive the
5 assessment books and blanks as prepared by said county clerk for the assess-
6 ments or property for that year and the failure of any assessor so to do, shall
7 be deemed sufficient cause to declare his office vacant, and for the appointment
8 of a successor.

9 If, after the delivery of such books to the assessor in any year, the clerk
10 shall receive an abstract showing the entry of any lands or lots not contained
11 in such books, it shall be his duty to furnish a list of the same to the proper as-
12 sessor within five days after such abstract is received.

Sec. 191. ASSESSOR TO ADD UP COLUMNS, ETC.] The assessor shall add up and
2 note the aggregate of each column in his assessment books of real and personal
3 property; and shall also add in each book, under proper headings, a tabular
4 statement, showing the footings of the several columns upon each page; and
5 shall add up and set down under the respective headings the totals of the several
6 columns. When an assessor returns the several assessment books of real or per-
7 sonal property, he shall, in addition to the tabular statements herein required,
8 return a statement in like form showing the totals of all the books.

(2) REAL ESTATE.

Sec. 192. WHEN AND HOW THE ASSESSOR SHALL ASSESS PROPERTY.] The as-
2 sessor shall, before the first day of June in the year of 1919 and every fourth

3 year thereafter, in person or by his deputy, actually view and determine as near
4 as practicable the fair cash value of each tract or lot of land listed for taxation
5 as of the first day of April of each such year, and assess the same at the value
6 required by law, setting down the sum in the proper column prepared therefor
7 in the books furnished him. He shall, between the first day of April and the
8 first day of June in each other year, list and assess in like manner all
9 real property which shall become taxable and which is not upon the general as-
10 sessment, and also make and return a list of all new or added buildings, struc-
11 tures or other improvements of any kind, the value of which shall not have been
12 previously added to or included in the valuation of the tract or lot on which such
13 improvements have been erected or placed, specifying the tract or lot on
14 which each of said improvements has been erected or placed, the kind of im-
15 provement and the value, which, in his opinion, has been added to such tract or
16 lot by the erection thereof; and in case of the destruction or injury by fire,
17 flood, cyclone, storm or otherwise, or removal of any structures of any kind, or
18 of the destruction of or any injury to orchard, timber, ornamental trees or
19 groves, the value of which shall have been included in any former valuation
20 of the tract or lot on which the same stood, the assessor shall determine, as
21 near as practicable, how much the value of such tract or lot has been dimin-
22 ished in consequence of such destruction or injury, and make return thereof.
23 And, in counties under township organization, in case any town assessor
24 shall fail or neglect so to do, then the supervisor of assessments shall, in the
25 case of such new or added improvements, assess the same according to the as-
26 sessment of the same property in the general assessment, and in the case of
27 such destruction shall abate from the assessment of the tracts or lots so dam-
28 aged or lessened the proper proportion thereof, estimated according to the
29 same principles; in counties containing one hundred and twenty-five thousand
30 (125,000) or more inhabitants such books shall be made up by townships. The
31 value of lands and improvements shall be separately fixed and shall in any as-
32 sessment made hereafter be set down in separate columns in said assessors'
33 books, and the total value in a third column. The assessor shall also set down, in

34 separate columns, the number of acres in wheat, corn, oats, meadow, and other
 35 field products, in inclosed pastures, orchards, and woodlands, whether inclosed
 36 or not, in that year.

Sec. 193. LISTS—DUPLICATE AND TRIPPLICATE BOOKS—ALTERATIONS — SUBDIVIS-

2 ION.] All such lists, valuations and entries shall, in counties of one hundred and
 3 twenty-five thousand (125,000) inhabitants or over, be made in triplicate assess-
 4 ment books; in all other counties in duplicate books. The assessor shall, also,
 5 from time to time, make such alterations in the description of real property as he
 6 may find necessary, and when real property has been subdivided since the mak-
 7 ing of the general assessment, shall from time to time correct the description so
 8 that it shall correspond to the subdivision, and distribute the assessment in the
 9 proper proportions among the lots or parcels into which the land shall have
 10 been subdivided; and in case of a vacation of a subdivision readjust the de-
 11 scription of the assessment accordingly.

Sec. 194. WHEN LANDS CHANGE IN VALUE.] On or before the first day of June

2 in each year, other than the year of the quadrennial assessment, the assessor
 3 shall determine the amount, in his opinion, of any change in the value of any
 4 tract or lots of land by reason of any injury to, alteration in or addition to, the
 5 improvements thereon since the first of April in the preceding year and prior
 6 to the first of April in the current year, and add to or deduct from the assess-
 7 ment accordingly; setting down the amount of such change in a proper column
 8 in the assessment books. The assessors shall not in any year, except the year of
 9 the quadrennial assessment, change the valuation of any real estate or improve-
 10 ments or the division thereof, except as above provided in this section: *Pro-*
 11 *vided, however,* that if at any time before judgment or order of sale therefor
 12 the said assessors shall discover an error or mistake (other than errors of judg-
 13 ment as to the valuation of any real or personal property) in any assessment of
 14 any property belonging to any person or corporation, they shall issue to the
 15 person or corporation erroneously assessed a certificate setting forth the na-
 16 ture of such error and the cause or causes which operated to produce the same,

17 which said certificate, when properly endorsed by the majority of the county
18 board of taxation, showing their concurrence therein, and not otherwise, may
19 be used in evidence in any court of competent jurisdiction, and when so intro-
20 duced in evidence such certificate shall become a part of the court record and
21 shall not be removed from the files except on an order of the court.

Sec. 195. OTHER LANDS ADDED.] If the assessor finds that any real estate
2 subject to taxation, or special assessment has not been returned to him by the
3 clerk, or if returned, has not been described in the subdivisions, or manner re-
4 quired by section 189 of this Act, he shall correct the return of the clerk, and shall
5 list and assess such property in the manner required by law.

Sec. 196. IN COUNTIES HAVING A BOARD OF ASSESSORS—REVISION OF ASSESSMENT
2 OF REAL ESTATE.] In counties having a board of assessors, such board shall meet
3 on the first Monday of June in each year for the purpose of revising the assess-
4 ment of real property. At such meeting the board of assessors, upon applica-
5 tion of any taxpayer or upon their own motion, shall revise the assessment and
6 correct the same as shall appear to them just. Such meeting may be adjourned
7 from day to day, as may be necessary, and the board shall finish such revision
8 upon or before the first day of July following. When such revision is completed
9 and the changes and revisions entered in the assessment books, an affidavit shall
10 be appended to each of such assessment books in the form required by law,
11 signed by at least two of such assessors. Upon the signing of such affidavits
12 the board of assessors shall have no further power to change the assessment or
13 alter the assessment books so as to change or affect the taxes of that year.

Sec. 197. BOARD OF ASSESSORS—VALUATIONS OF REAL PROPERTY FOR NEXT SUC-
2 CEEDING ANNUAL ASSESSMENT.] After making its annual return of the revised as-
3 sessment to the county board of taxation, as required by law, the board of asses-
4 sors in counties of one hundred twenty-five thousand (125,000) inhabitants, or
5 over, shall have the power, in any year except the last year preceding each quad-
6 rennial assessment, to consider and correct the valuations of real property for
7 the next succeeding annual assessment, in the same manner, upon complaints

8 filed from time to time, and upon complaint filed shall proceed to do so; and such
 9 changes as it shall make, in any such valuations, shall be noted upon the assess-
 10 ment list, remaining in its custody, and include the same in its annual return to
 11 the county clerk and the county board of taxation.

Sec. 198. BRIDGES ON BORDER OF STATE—ASSESSED.] The town or other as-
 2 sessor in the county or town where any bridge structure across any navig-
 3 able stream forming the boundary line of the State of Illinois, and any other
 4 state, is located, shall give in his description the quarter section, section,
 5 township and range in which such bridge is located or terminates in this State,
 6 together with the metes and bounds of the ground occupied by such bridge, and
 7 the approaches thereto from the end on the Illinois shore to the center of the
 8 main channel of the stream crossed by the same. For the purpose of obtaining
 9 such description the assessor may employ a competent surveyor, and the expense
 10 of making such survey and description shall be charged as a tax against such
 11 property by the county clerk, on the certificate of the surveyor: *Provided*, that
 12 one survey of any bridge and approaches, made as provided by law, shall be
 13 deemed sufficient for the purpose of subsequent assessment of such bridge and
 14 approaches.

(3) Personal Property.

Sec. 199. WHEN AND HOW PERSONAL PROPERTY TO BE LISTED.] The assessor
 2 or his deputy shall annually, between the first days of April and of June, list the
 3 taxable personal property in his county, town or district, and assess the value
 4 thereof as of the first day of April, in the manner following, to-wit: He shall
 5 call at the office, place of doing business or residence of each person required by
 6 this act to list property and list his name, and shall require such person to make
 7 a correct statement of the taxable property in accordance with the provisions of
 8 this Act, and the person listing the property shall enter a true and correct state-
 9 ment of such property owned by him on the first day of April of that year, in
 10 the form prescribed by law, which shall be signed and sworn to to the extent re-
 11 quired by this Act by the person listing the property, who shall deliver such

12 statement to the assessor; and the assessor shall thereupon assess the value of
 13 such property, and enter the valuation in his books: *Provided*, if any property
 14 is listed or assessed on or after the first day of June, the same shall be as legal
 15 and binding as if listed and assessed before that time.

Sec. 200. SHARES OF STOCK IN INCORPORATED BANKS.] It shall be the duty of
 2 the assessor to ascertain and report to the county clerk a correct list of the
 3 names and residences of all stockholders in any incorporated bank organized
 4 under the banking laws of this State, or of the United States, with the number
 5 and assessed value of all shares in any such bank held by each stockholder;
 6 and also a correct list of banks other than those incorporated under the laws of
 7 this State or of the United States, and the assessed value of the capital of such
 8 banks.

Sec. 201. SCHOOL DISTRICT TO BE DESIGNATED.] It shall be the duty of asses-
 2 sors, when making assessments of personal property, to designate the number
 3 of school district or districts in which each person assessed is liable for tax;
 4 which designation shall be made by writing the number of the district opposite
 5 each assessment, in a column provided for that purpose in the assessment book.

Sec. 202. WHEN PROPERTY IN SEVERAL DISTRICTS.] When the personal prop-
 2 erty of any person is assessable in several school districts, the amount in each
 3 shall be assessed separately, and the name of the owner placed opposite each
 4 amount.

Sec. 203. IN COUNTIES HAVING A BOARD OF ASSESSORS—REVISION OF ASSESSMENT
 2 OF PERSONAL PROPERTY.] In counties having a board of assessors such board shall
 3 meet on the third Monday of June of each year for the purpose of revising the
 4 assessment of personal property. At such meeting the board of assessors, upon
 5 application of any tax payer or upon their motion, shall revise the assessment
 6 and correct the same as shall appear to them to be just, such meeting may be ad-
 7 journed from day to day, as may be necessary, and the board shall finish such
 8 revision upon or before the first day of July. When such revision is completed
 9 and the changes and revisions entered in the assessment books, an affidavit shall

10 be appended to each of such assessment books in the form required by law, sign-
 11 ed by at least two of such assessors. Upon the signing of such affidavits, the
 12 board of assessors shall have no further power to change the assessment or al-
 13 ter the assessment books so as to change or affect the taxes of that year.

(4) Railroads.

Sec. 204. HOW THE OTHER PERSONAL AND REAL PROPERTY OF RAILROADS TO BE
 2 ASSESSED.] The county clerk shall return to the county assessor, supervisor of
 3 assessments or board of assessors, as the case may require, a copy of the sched-
 4 ule or list of the real estate (other than "railroad track") and of the personal
 5 property (except "rolling stock") pertaining to the railroads, as provided in
 6 section 174, and such real and personal property shall be assessed by the as-
 7 sessor. Such property shall be treated in all respects, in regard to assess-
 8 ment and equalization, the same as other similar property belonging to individ-
 9 uals, except that it shall be treated as property belonging to railroads, under
 10 the terms "lands," "lots," and "personal property."

(5) Miscellaneous.

Sec. 205. INFORMALITY OR FAILURE TO COMPLETE ASSESSMENT IN TIME NOT TO
 2 VITIATE.] No assessment of property, or charge for taxes thereon, shall be con-
 3 sidered illegal on account of any informality in making the assessment, or in the
 4 tax lists, or on account of the assessments not being made or completed within
 5 the time required by law; but the same shall be legal and valid as if made as
 6 required by law.

Sec. 206. TOWN ASSESSOR—RETURN OF ASSESSMENT BOOKS—AFFIDAVIT.] The
 2 town assessor shall, on or before the first day of June for the year for which
 3 the assessment is made, return the assessment books to the county supervisor
 4 of assessments, and at the same time shall deliver to him all the schedules and
 5 statements of personal property and statements of deductions from credits re-
 6 ceived or made by him, indorsed with the name of the person whose property is
 7 listed, and arranged in alphabetical order. Each of said assessment books shall
 8 be verified by affidavit of the assessor substantially as follows:

9 State of Illinois
 10 County of..... } ss.

11 I do solemnly swear that the book [or books],.....in number [as the case
 12 may be], to which this affidavit is attached, contains a full and complete list of
 13 all of the real and personal property in the township or assessment district here-
 14 in described, subject to taxation for the year.....so far as I have been able
 15 to ascertain the same, and that the assessed value set down in the proper column
 16 opposite the several kinds and descriptions of property is a just and equal assess-
 17 ment of such property according to law.

Sec. 207. CHANGES AND ALTERATIONS IN ASSESSMENT.] The supervisor of
 2 assessments shall assess and make such changes or alterations in the assess-
 3 ment of property as though originally made, and in making such changes in
 4 valuation as returned by the town assessor such changes shall be noted in a
 5 column provided therefor, and no change shall be made in the original figures.

Sec. 208. PUBLICATION OF ASSESSMENT—COUNTY BOARD OF TAXATION.] As
 2 soon as the county assessor or supervisor of assessments shall have completed
 3 the assessment, he shall cause to be published on or before July 10 of each year,
 4 in some public newspaper or newspapers published in said county, a full and
 5 complete list, by towns or assessment districts, of the assessment of per-
 6 sonal property and the changes made, if any, in real estate; and, in the year of
 7 1919 and every fourth year thereafter he shall cause to be published in the
 8 same manner a full and complete list of the real estate assessment: *Provided*,
 9 that in every town or assessment district in which there is published one
 10 or more newspapers of general circulation the list of such town or assess-
 11 ment district shall be published in one of said newspapers so published in said
 12 town or assessment district: *And, provided*, that said newspaper shall
 13 not receive for the publication of said assessment list to exceed three (3) cents
 14 per name for each person or corporation so assessed and if impossible to secure
 15 publication at that price, that the publication be let to the lowest bidder at a
 16 price not exceeding five (5) cents per tract, and shall furnish to the county as-
 17 sessor, the county supervisor of assessments and the county board of taxation
 18 as many copies of said paper containing the assessment list as they may require,

19 said papers so furnished not to cost to exceed five (5) cents per copy: *Pro-*
 20 *vided, further,* that in counties of one hundred twenty-five thousand inhabitants
 21 (125,000) or over, no assessment of real estate shall be published as herein pro-
 22 vided until such assessment shall have been equalized, revised or affirmed by
 23 the county board of taxation, and when the county board of taxation shall have
 24 acted upon the assessment list of real property, as herein provided in the year
 25 of 1919 and every four years thereafter, the assessors and the county board of
 26 taxation shall cause to be published a full and complete list of such assessment
 27 on real property, together with all changes made by the county board of taxation
 28 under the authority of this Act, such changes to be indicated in a separate column,
 29 such publication to be in pamphlet form by election districts in lieu of pub-
 30 lication in a newspaper; and the county board of taxation shall cause to be
 31 mailed to each taxpayer in said election precinct a copy of said list for his
 32 precinct: *Provided, further,* that in case said assessment is not published in
 33 conformity with law nor mailed in accordance with the provisions of this Act,
 34 the failure to so publish the same or mail the same shall not be considered as a
 35 valid objection to a judgment for tax sale in the county court. The expense of
 36 such printing and publication shall be paid out of the county treasury.

(b) *County Board of Taxation.*

Sec. 209. MEETING OF BOARD—POWER OF.] The county board of taxation
 2 shall meet on or before the third Monday in June in each year for the pur-
 3 pose of revising the assessment of property. At such meeting said board of
 4 taxation, upon application of any taxpayer or upon their own motion, may re-
 5 vise the entire assessment or any part thereof of any taxpayer, and correct the
 6 same as shall appear to them to be just, but in none of the cases provided for
 7 in this Act shall the assessment of the property of any person be increased un-
 8 less such person or his agent, if either be a resident or has a place of business
 9 in the county, shall first have been notified in writing and been given an oppor-
 10 tunity to be heard. Such meeting may be adjourned from day to day as may be
 11 necessary: *Provided,* that the final adjournment of said board of taxation
 12 shall be on or before the seventh day of September and that no *per diem* com-

13 pensation, where such is provided, shall be paid any member of said board for
14 services rendered after the date fixed for the final adjournment.

Sec. 210. DELIVERY OF ASSESSMENT BOOKS, ETC.] The board of assessors, the
2 county assessor or supervisor of assessment, as the case may be, shall deliver
3 to the county board of taxation, when the assessment has been prepared, the as-
4 sessment books; and when required by the county board of taxation in the per-
5 formance of its duties, shall deliver to such board all schedules and statements
6 of personal property and all statements of deductions on account of credits, re-
7 ceived or made up by him or them. After the assessment is completed such
8 schedules and statements shall be returned to the board of assessors, county as-
9 sessor or supervisor of assessments, as the case may be, and shall be preserved
10 for at least two years.

Sec. 211. POWERS AND DUTIES OF COUNTY BOARD OF TAXATION.] The county
2 board of taxation shall, in any year, whether the year of the quadrennial assess-
3 ment or not:

4 First—List and assess any real or personal property which has been omitted
5 in the assessment of any year or number of years, or as to which the tax thereon
6 for which such property is liable, from any cause, has not been paid, and any
7 real or personal property which by reason of defective description or assess-
8 ment thereof, has failed to pay taxes for any year or years, and all property (ex-
9 cept that assessable by the Tax Commissioner), subject to assessment which shall
10 not have been assessed by the assessors, all or any of which property when thus
11 listed and assessed shall be placed on the assessment and tax books: *Provided*,
12 that the owner of the property thus assessed, if known, shall be notified by said
13 board.

14 Said board may make such alterations in the description of real or personal
15 property as it shall deem necessary.

16 Second—On complaint in writing that any property described in such com-
17 plaint is incorrectly assessed, the said board of taxation shall review the as-
18 sessment, and correct the same, as shall appear to be just. Such complaint to

19 affect the assessment for the current year shall be filed on or before the first day
20 of August: *Provided*, that if the assessment books containing the assessment
21 complained of are not filed with the county board of taxation by the twentieth
22 day of July, then such complaint shall be filed on or before the tenth day there-
23 after. The board may also, of its own motion, at any time before its revision
24 of the assessments is completed in every year, increase, reduce or otherwise ad-
25 just the assessment of any individual or corporation, on real property or per-
26 sonalty, making changes in the valuations thereof as may be just, and shall have
27 full power over the assessment of any individual or corporation, and may do
28 anything in regard thereto that it may deem necessary to make a just assess-
29 ment; but no assessment shall be increased until the person or corporation to
30 be affected shall have been notified, and given an opportunity to be heard, ex-
31 cept as hereinafter provided; and before making any reduction in assessments
32 of its own motion the board of taxation shall give notice to the board of assess-
33 ors, the county assessor or the supervisor of assessments, as the case may be,
34 who certified the assessment, and give such assessors an opportunity to be
35 heard thereon. All complaints of errors in assessments, real or personal, shall
36 be in writing, and shall be filed by the complaining party with said board of
37 taxation, in duplicate, and the duplicate shall be forthwith filed by the board of
38 taxation with the board of assessors, the county assessor or supervisor of assess-
39 ments, as the case may be, certifying such assessment. Complaints relating to
40 real estate shall be classified by towns by the clerk of said board of taxation,
41 and complaints relating to personal property shall be classified in such manner
42 as the board of taxation shall determine, by order for that purpose, duly en-
43 tered of record; all classes of complaints to be docketed numerically, each in its
44 own class, in the order in which they shall be presented, as near as may be, in
45 books kept for that purpose, which books shall always be open to public inspec-
46 tion. Complaints relating to real estate shall be considered by towns, and com-
47 plaints relating to personal property shall be heard in their order by classes,
48 in pursuance of the order of the board heretofore mentioned, until all com-
49 plaints have been heard and passed upon by the board.

50 In counties of one hundred twenty-five thousand (125,000) inhabitants or
51 over, in each year the assessment list of real estate, in triplicate as made by the
52 board of assessors, shall be certified by the assessors and delivered to the coun-
53 ty board of taxation when the assessment required by law is completed by them
54 In revising assessments in any year the board of taxation shall note all changes
55 it shall make in the valuations of real estate on all of said assessment lists, and
56 shall duly make return of one complete list to the county clerk, as required by
57 law, and one to the board of assessors and retain the other. On the books so
58 retained it shall note all changes made by it in the valuations of property after
59 that date, upon the hearings provided for in this Act. And in making its an-
60 nual return each year to the county clerk, and to the assessors, as herein pro-
61 vided, it shall enter therein all such changes.

62 In other counties the assessment list of real estate in duplicate, as made by
63 the board of assessors, county assessor or supervisor of assessments,
64 shall be certified and delivered, when complete, to the county board of taxa-
65 tion; and after the revision thereof has been completed by the said board of tax-
66 ation, and changes noted thereon, the same shall be duly returned to the coun-
67 ty clerk, as required by law.

68 In counties of one hundred twenty-five thousand (125,000) inhabitants, or
69 over, the county board of taxation, each year, shall review all changes made by
70 the board of assessors, in valuations of real estate for the next succeeding year,
71 as in the cases of any assessments.

72 For the purpose of hearing and determining complaints of errors in the
73 valuation of real property for the next succeeding assessment thereof, and cor-
74 recting the valuations of any such property as shall be just, after its annual re-
75 turn has been made, as herein provided, the county board of taxation shall, on
76 the first Tuesday of November and the first Tuesday of each month thereafter
77 until and including the first Tuesday of March in each year (except the year last
78 preceding the quadrennial assessment) and at such other times as it may be
79 necessary, hold public sessions at its board rooms, and continue such sessions
80 from day to day until all complaints and other business have been disposed of.

81 Complaints passed or undisposed of at any session shall be first considered at
 82 the next succeeding monthly session, and passed complaints shall be disposed of
 83 at each session before later complaints shall be considered. Upon any hearing
 84 of a complaint, or on a proposal for any increase originating with said board,
 85 where notice is required as herein provided, the said board shall sit together, and
 86 hear the representations of the parties interested, or their representatives, and
 87 no change shall be made in any assessment of real property unless at least a
 88 majority of said board shall concur therein; and in such case an order therefor
 89 shall be made in open session, and entered of record on the books of the board:
 90 *Provided*, that in counties of less than one hundred twenty-five thousand
 91 (125,000) inhabitants, monthly sessions of the county board of taxation shall
 92 not be required.

93 Third—Increase or reduce the entire assessment of either real or personal
 94 property, or both, or of any class included therein if in their opinion the as-
 95 sessment has not been made upon the proper basis, or equalize the assessment
 96 of real or personal property by increasing or reducing the amount thereof, in
 97 any town, or part thereof, or any portion of the county, as may, in their
 98 opinion, be just, but the assessment of any class of property, or of any town
 99 or part thereof, or any portion of the county, shall not be increased until
 100 the board shall have notified not less than fifty (50) of the owners of property in
 101 such town, or part thereof, or portion of the county of such proposed in-
 102 crease, and given them, or any one representing them, or other citizen of said ter-
 103 ritory, an opportunity to be heard. The board of assessors, county assessor or
 104 supervisor of assessments shall have like notice of any proposed increase or re-
 105 duction, with an opportunity to be heard thereon, except where such action is
 106 taken in individual cases upon complaint. The board shall hear any person, upon
 107 request, in opposition to a proposed reduction in the assessment of any person,
 108 corporation or territory.

109 Fourth—Hear and determine the application of any person who is assessed
 110 on property claimed to be exempt from taxation. If the board shall determine
 111 that any such property is not liable to taxation and the question as to the lia-

112 bility of such property to taxation has not previously been judicially determined,
 113 the decision of said board shall not be final unless approved by the Tax Commis-
 114 sioner; and it shall be the duty of the clerk of the board in all such cases, under
 115 the direction of the board, to make out and forward to the Tax Commissioner a
 116 full and complete statement of all the facts in the case. If the Tax Commis-
 117 sioner is satisfied that such property is not legally liable to taxation, he shall
 118 notify the county board of taxation of his approval of its decision, and the board
 119 shall correct the assessment accordingly. But if the Tax Commissioner is satis-
 120 fied that such property is liable to taxation, he shall advise the board of his ob-
 121 jection to its decision, and give notice to said board that he will apply to the Su-
 122 preme Court, specifying to what term thereof, for an order to set aside and an-
 123 nul the decision of the county board of taxation. Upon receipt of such notice the
 124 clerk shall notify the person making the application aforesaid. It shall be the duty
 125 of the Tax Commissioner then to file in the Supreme Court a certified statement
 126 of the facts certified by the clerk as aforesaid, together with his objections there-
 127 to, and the court shall hear and determine the matter as the right of the case
 128 may be. If the county board of taxation shall decide that the property so claimed
 129 to be exempt is liable to be taxed, and the party aggrieved at the time shall pray
 130 an appeal, a brief statement of the facts in the case shall be made by the clerk,
 131 under the direction of the board and transmitted to the tax commissioner, who
 132 shall present the case to the Supreme Court in like manner as hereinbefore
 133 provided. In either case the collection of the tax shall not be delayed thereby,
 134 but in case the property is decided to be exempt the tax shall be abated and
 135 refunded.

136 Fifth—It shall, at any time before judgment, if any error or mistake is
 137 discovered (other than errors of judgment as to the valuation of any real or per-
 138 sonal property), in an assessment of any real or personal property belonging to
 139 any person or corporation to issue a certificate setting forth the nature of such
 140 error, and the cause or causes which operated to produce such error or mistake
 141 to the person or corporation erroneously assessed, which said certificate when
 142 properly endorsed by the board of assessors, county assessor or supervisor of

assessments, as the case may be, showing their concurrence therein, and not otherwise, may be used in evidence in any court of competent jurisdiction, and when so introduced in evidence such certificate shall become a part of the court records, and shall not be removed from the files except upon the order of the court.

Sec. 212. BOARD OF TAXATION—CHANGES AND ALTERATIONS.] All changes and alterations in the assessment of real property shall be subject to review by the county board of taxation in the same manner that original assessments are reviewed.

Sec. 213. BOARD OF TAXATION MAY EXAMINE ASSESSOR AND OTHERS AS TO HOW ASSESSMENT WAS MADE.] It shall be lawful for the board of taxation to summon any assessor or any deputy or other person to appear before them respectively to be inquired of under oath with respect to the method by which he or they has or have ascertained and fixed any valuation or valuations returned by him or them, and as to the correctness of any such valuation or valuations, and to administer and examine under oath the assessor or other person so summoned before them, and any assessor or person so summoned who shall fail, without good cause, to appear or appearing shall refuse to submit to such inquiry or answer such questions as may be propounded to him by said board, or any member thereof, or any attorney representing them, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding five hundred (\$500) dollars.

Sec. 214. COUNTY BOARD OF TAXATION—WHEN AND HOW CHANGES MADE UPON ASSESSMENT BOOKS.] Whenever the board of taxation shall decide to reverse or modify the action of the supervisor of assessments or board of assessors, or county assessor, or the assessment in any case, or to change the list as completed, or the assessment or description of any property in any manner, they shall cause the changes to be made at once and entered upon the assessment books.

Sec. 215. FORM OF AFFIDAVIT TO BE ATTACHED TO EACH OF THE ASSESSMENT BOOKS.] The county board of taxation shall, on or before the seventh day of

3 September annually, complete its work and make or cause to be made the en-
 4 tries in the assessment books required to make the assessment conform to the
 5 changes made therein by said board, and shall attach to each of said books an
 6 affidavit signed by at least two members of such board, which affidavit shall be
 7 substantially in the following form:

8 State of Illinois }
 9 County of..... } ss.

10 We, and each of us, as a member of the county board of taxation in the re-
 11 view of the assessment of the county of, in the State of Illinois,
 12 do solemnly swear that the books.....in number.....to which this affida-
 13 vit is attached, contain a full and complete list of all the real and personal prop-
 14 erty in said county subject to taxation for the year of, so far as we have
 15 been able to ascertain the same, and that the assessed value set down in the
 16 proper column opposite the several kinds and descriptions of property is, in
 17 our opinion, a just and equal assessment of such property for purposes of tax-
 18 ation according to law, and that the footings of the several columns in said books
 19 are correct, as we verily believe.

20 Dated.....

21 *Provided*, that in counties containing one hundred and twenty-five thousand
 22 (125,000) or more inhabitants the county board of taxation shall also meet
 23 from time to time and whenever necessary to consider and act upon complaints
 24 and to further revise the assessment of real property as may be just and neces-
 25 sary.

Sec. 216. DELIVERY OF BOOKS CONTAINING ASSESSMENTS.] When the books are
 2 so completed the county board of taxation shall deliver one set of books con-
 3 taining the assessment of real property and the books containing the assessment
 4 of personal property to the county clerk, who shall file the same in his office; one
 5 set of the books containing the assessment of real property shall be returned to
 6 the board of assessors, county assessor or supervisor of assessments; and when
 7 triplicate sets of books are required by this Act, the remaining set of books con-
 8 taining such assessment shall remain in the office of the county board of taxa-
 9 tion. All such books shall be public records and open to the inspection of all

10 persons. The assessment so completed by the board of taxation and certified to
 11 the county clerk and as equalized or altered as provided by law, shall be the
 12 assessment upon which the taxes of that year shall be extended by the county
 13 clerk.

Sec. 217. CLERK TO CORRECT ERRORS, ETC.] The clerk, upon receipt of the
 2 assessment books of real property, shall correct all errors of whatsoever kind
 3 which he may discover, and add the name of the owner, if known, when the
 4 same does not already appear, and the description of all real property which
 5 has been omitted by the assessor, and is liable to taxation.

Sec. 218. APPEALS FROM COUNTY BOARD OF TAXATION.] Appeals shall lie from
 2 the action of any county board of taxation to the State Finance Commission,
 3 subject to such rules, regulation and restrictions as may be made in relation
 4 thereto by the said State Finance Commission. Upon the hearing of such ap-
 5 peals, the State Finance Commission shall have full power to consider the action
 6 *de novo*, and to exercise all the powers that could be exercised by the county
 7 board of taxation in relation to the subject matter of the action appealed
 8 from. The decisions of the State Finance Commission on such appeals shall
 9 be certified to the county clerks of the several counties by the Tax Commissioner.

Sec. 219. COMPLETION OF EQUALIZATION AT SUBSEQUENT MEETING.] In any
 2 case where the county board of taxation of any county shall have failed to com-
 3 plete the equalization of assessments, as returned for any year, at the meeting
 4 held on the third Monday in June, or shall have failed to act upon a complaint
 5 that another is assessed too low at such meeting, the equalization of such as-
 6 sessment, or action upon such complaint by the county board of taxation at
 7 any subsequent meeting thereof, is hereby declared legal and valid, and the
 8 taxes extended thereon shall be and remain a lien on the property against which
 9 they are extended, to the same extent as if such equalization and action upon com-
 10 plaint had been had and taken on the third Monday in June.

(c) *State Assessments—Review and equalization.*(1) **County Clerk's Report to Tax Commissioner.**

Sec. 220. COUNTY CLERK'S REPORT OF PROPERTY TO BE ASSESSED BY TAX COMMISSIONER.] On or before a date in each year to be fixed by rule of the State Finance Commission, not later than the tenth day of September, it shall be the duty of the county clerks to make out and transmit to the Tax Commissioner, an abstract of the railroad property reported by each railroad located in or through their counties, showing the length of main track, the length of side track, and the numbers, values and average values of each separate item of railroad property as returned by the railroad companies to the county clerk. The county clerks shall, at the same time, and accompanying said abstract, transmit to the Tax Commissioner a detailed statement of the railroad property denominated "railroad track" and "rolling stock," and the value thereof as reported and returned to them by each road located in or through their counties. If there are any roads that have not made their reports as required by this Act, the clerk shall report the fact, giving the name of such railroad. The county clerks shall also, at a date to be fixed by rule of the State Finance Commission, not later than the tenth day of September, transmit to the Tax Commissioner, the lists and statements of capital and other property, he may have received from public utilities and from the assessors for all companies and associations, as provided by law.

Sec. 221. COUNTY CLERK'S REPORT TO TAX COMMISSIONER OF ASSESSMENT OF PROPERTY.] At a date to be fixed by rule of the State Finance Commission, not later than the tenth day of September, annually, it shall be the duty of the county clerks, upon the receipt of the assessment books, to make out and transmit to the Tax Commissioner an abstract of the assessment of property, showing the number, value and average value of each kind of enumerated property, as shown by the assessment; the value of each item of unenumerated property, and the total value of personal property; the length of main track, the length of side track, the numbers, values and average values of each separate item of railroad property; the number of acres, value and average value of improved lands;

the number of acres, value and average value of unimproved lands; the total number of acres, total value and average value, per acre, of all lands; the number, value and average value of improved town and city lots; the number, value and average value of unimproved town and city lots; the total number of lots, total value and average value of all lots, and the total value of all property; the number of acres in cultivation of wheat, corn, oats, meadow and other field products, in inclosed pasture, orchards and woodland, whether inclosed or not in that year. Said abstracts shall be made out on blanks, which it shall be the duty of the Tax Commissioner to furnish to the county clerks for that purpose. The values to be given in said abstract shall be the assessed valuations, as revised by the county boards of taxation, except in the case of railroad property denominated "railroad track" and "rolling stock," the value of which shall be given as returned by the railroad company to the county clerk.

WHEN ASSESSMENTS NOT COMPLETE.] In case of failure of any assessor to make return of assessment within the time specified in this Act, and if such assessment has not been made by the supervisor of assessments or county boards of taxation, it shall be the duty of the county clerks to transmit a statement of the assessment in all the towns or districts from which returns have been received, together with a statement of the amount of taxable property assessed in the defaulting towns or districts for the previous year.

(2) Assessments by the Tax Commissioner.

Sec. 222. TAX COMMISSIONER TO ASSESS CAPITAL AND OTHER PROPERTY OF PUBLIC UTILITIES AND OF COMPANIES AND ASSOCIATIONS EXCEPT, ETC.] The Tax Commissioner shall value and assess the capital and other property of each public utility and of each company or association respectively, incorporated under the laws of this State or of other states and countries and which by this Act are required to be assessed in the manner provided in this Act. But he shall not assess such property of companies and associations organized for purely manufacturing and mercantile purposes or for either of such purposes, or for the mining and sale of coal, or for printing, or for the publishing of newspapers or

10 for the improving and breeding of stock. The assessments so made by the
 11 Tax Commissioner shall be distributed by him to the respective counties as pro-
 12 vided in this Act.

Sec. 223. TAX COMMISSIONER TO ASSESS "RAILROAD TRACK" AND "ROLLING
 2 STOCK"—DISTRIBUTION OF VALUES.] The Tax Commissioner shall also value and
 3 assess the railroad property denominated in this Act as "railroad track" and
 4 "rolling stock;" the amount so determined and assessed shall be distributed by
 5 him to the several counties as provided in Sections 149 and 159 of this Act.

Sec. 224. CAPITAL AND OTHER PROPERTY OF RAILROADS — DISTRIBUTION OF
 2 VALUE.] The aggregate amount of capital and other property of railroad com-
 3 panies assessed by the Tax Commissioner shall be distributed proportionately by
 4 him to the several counties in the manner as the property of railroads denominated
 5 "railroad track" is distributed.

Sec. 225. TAX COMMISSIONER TO COMPILE ABSTRACTS.] It shall be the duty
 2 of the Tax Commissioner to compile the abstracts of assessments received from
 3 the county clerks into tabular statements convenient for the use of the State
 4 Finance Commission and also to prepare a statement showing the assessed
 5 value of "railroad track" and "rolling stock" and the capital and other prop-
 6 erty of public utilities and other companies and associations assessed by him-
 7 self, and such statements and the original abstracts shall be submitted to the
 8 State Finance Commission on the first day of its meeting for purposes of equal-
 9 ization.

(3) Assessments, Review and Equalization by State Finance Commission.

Sec. 226. TO ASSESS OMITTED PROPERTY.] If any property herein required
 2 by law to be assessed by the Tax Commissioner shall be omitted in the assess-
 3 ment of any year or number of years, or the tax thereon, for which such prop-
 4 erty was liable, from any cause, has not been paid, or if any such property by
 5 reason of defective description or assessment thereof, shall fail to pay taxes for

6 any year or years, in either case the same, when discovered, shall be listed and
 7 assessed by the State Finance Commission, and distributed and dealt with as
 8 provided by law, for other property of that class.

Sec. 227. REVIEW OF ASSESSMENTS OF RAILROADS AND OF CAPITAL AND OTHER
 2 PROPERTY.] On complaint in writing that any railroad property or the capital
 3 and other property of public utilities, or other companies and associations, as-
 4 sessed by the Tax Commissioner, as herein provided, is incorrectly assessed, the
 5 State Finance Commission shall review the assessment and correct the same, as
 6 shall appear to be just. The State Finance Commission shall have power and
 7 authority to make reasonable rules and regulations as to the manner of making
 8 such complaints and the procedure before the State Finance Commission in such
 9 cases.

Sec. 228. SPECIAL ASSESSORS—APPOINTMENT OF.] On complaint to the State
 2 Finance Commission that the original assessment in any taxing district is sub-
 3 stantially unjust or inequitable, and if after investigation by the State Finance
 4 Commission, said complaint is determined to be sustained, the said State Fi-
 5 nance Commission shall have power and authority to appoint a special assessor
 6 or assessors and to direct the reassessment of property in such taxing district.
 7 The State Finance Commission shall have power to adopt reasonable rules and
 8 regulations governing the making and investigation of such complaints, and
 9 prescribing the manner in which the reassessment shall be made.

Sec. 229. EQUALIZATION BY STATE FINANCE COMMISSION—AMOUNT OF INCREASE
 2 OR DECREASE.] The State Finance Commission shall meet at the State Capitol on
 3 the first Tuesday of September, annually, and examine the abstracts of prop-
 4 erty assessed for taxation in the several counties of this State as returned to the
 5 Tax Commissioner, and the statements of the property assessed by the Tax Com-
 6 missioner, and shall equalize the assessments as hereinafter provided. The
 7 commission may so lower or raise the total assessed value of property in any
 8 county as returned by the county clerk as shall make the property in such

9 county bear a just relation to the assessed value of property in other counties
 10 of the State: Provided, that the total amount of such decrease or increase shall
 11 not exceed ten (10%) per cent of the total assessed value of all property in
 12 the State as returned for purposes of taxation.

Sec. 230. PROPERTY TO BE CLASSIFIED.] Said commission in equalizing the
 2 valuation of property as listed and assessed in different counties, shall consider
 3 the following classes of property separately, viz: personal property, railroad
 4 property, lands, and town and city lots; and the capital and other property
 5 of public utilities and of companies and associations assessed by the Tax Com-
 6 missioner; and, upon such consideration, determine such rates of addition to or
 7 deduction from the listed or assessed valuation of each of said classes of prop-
 8 erty in each county, or to or from the aggregate assessed value of each of said
 9 classes in the State, as may be deemed by the commission to be equitable and
 10 just—such rates being in all cases even and not fractional; and such rates, as
 11 finally determined by said commission shall not be combined.

Sec. 231. RULE FOR EQUALIZING PERSONAL PROPERTY.] In equalizing the value
 2 of personal property between the several counties, said commission shall cause
 3 to be obtained the State averages of the several kinds of enumerated property,
 4 from the aggregate footings of the number and value of each; and the value of
 5 the several kinds of enumerated property in each county shall be obtained at
 6 those average values; and the value of the enumerated property thus obtained,
 7 as compared with the assessed value of such property in each county shall be
 8 taken by said commission to obtain a rate per cent, to be added to or deducted from
 9 the total assessed value of such property in each county: *Provided*, that when-
 10 ever in the opinion of the commission it is necessary, to a more just and equit-
 11 able equalization of such property, that a rate per cent be added to or deducted
 12 from the value thus obtained in any one or more of the counties, said commission
 13 shall have the right so to do; but the rate per cent hereinbefore required shall first
 14 be obtained to form the basis upon which the equalization of personal property
 15 shall be made.

Sec. 232. LANDS AND LOTS—HOW EQUALIZED.] Lands shall be equalized by
 2 adding to the aggregate assessed value thereof, in every county in which said
 3 commission may believe the valuation to be too low, such rate per centum as
 4 will raise the same to its proportionate value, and by deducting from the aggregate
 5 assessed value thereof, in every county in which said commission may believe
 6 the valuation to be too high, such per centum as will reduce the same to
 7 its proper value. Town and city lots shall be equalized in the same manner here-
 8 in provided for equalizing lands, and, at the option of said commission, may
 9 be combined and equalized with lands.

Sec. 233. COMBINED TABLE—FINAL EXAMINATION.] When said commission
 2 shall have separately considered the several classes of property as hereinbefore
 3 required, the results shall be combined in one table, and the same shall be ex-
 4 amined, compared and perfected, in such manner as said commission shall deem
 5 best to accomplish a just equalization of assessments throughout the State, pre-
 6 serving, however, the principle of separate rates for each class of property.

Sec. 234. FAILURE TO RETURN ASSESSMENT.] In all cases of partial return
 2 from any county where the number of defaulting towns or districts does not
 3 exceed one-third of the whole number of towns or districts in the county, the
 4 State Finance Commission may estimate the valuation in the towns or districts
 5 from which returns have not been received and may equalize the total valuation
 6 as in other cases.

Sec. 235. WHEN EQUALIZATION COMPLETED.] When said commission shall
 2 have completed its equalization of assessments, for any year, the chairman shall
 3 certify to the Tax Commissioner, under the seal of the commission, the rates
 4 finally determined by said commission to be added to or deducted from the listed
 5 or assessed valuation of each class of property in the several counties, and also
 6 the amounts assessed by said commission, and it shall be the duty of the Tax
 7 Commissioner, immediately to certify the said action of the commission to the
 8 several county clerks.

Sec. 236. CERTIFICATION OF FINAL VALUATIONS.] The Tax Commissioner shall
 2 certify to the several county clerks the final assessed valuations of property as-
 3 sessed locally, as determined by the decisions on appeal from the county boards
 4 of taxation and after equalization by the State Finance Commission; he shall
 5 also certify to the several county clerks the final assessed valuation of the rail-
 6 road property and of capital and other property of public utilities and of com-
 7 panies and associations assessed by him, as determined after assessment, re-
 8 view and equalization by the State Finance Commission. The assessed valua-
 9 tion of railroad property and capital and other property of public utilities shall
 10 be distributed and certified to the several counties as provided in sections 149,
 11 159 and 167 of this Act; and the assessed valuation of the capital and other prop-
 12 erty of companies and associations other than public utilities, assessed by the
 13 tax commissioner shall be certified to the respective counties in which the prin-
 14 cipal office in the State, of such companies or associations are located. The final
 15 assessed valuation so determined by the State Finance Commission and as dis-
 16 tributed and certified by the Tax Commissioner shall be the assessment upon
 17 which the taxes of that year shall be extended by the county clerk.

(d) *Penalty.*

Sec. 237. CONNIVING AT ANY EVASION OF THIS ACT—PENALTY.] Any assessor, or
 2 deputy assessor, supervisor of assessments or member of the county board of
 3 taxation, or other person whose duty it is to assess property for taxation or
 4 equalize any such assessment, who shall refuse to do or knowingly or wilfully
 5 neglect any duty required of him by law, or who shall consent to or connive at
 6 any evasion of the provisions of this Act whereby any property required to
 7 be assessed shall be unlawfully exempt, in whole or in part, or the valuation
 8 thereof be set down at more or less than is required by law, shall, upon convic-
 9 tion, be fined for each offense not less than one hundred (\$100) dollars nor
 10 more than five thousand (\$5,000) dollars or imprisoned in the county jail not
 11 exceeding one year, or both imprisoned and fined at the discretion of the court;
 12 he shall also be liable upon his bond to the party injured for all damage sus-
 13 tained by such party as provided by law and shall also be removed from office
 14 by the judge of the court before whom he is tried and convicted.

TITLE III.

LEVY AND EXTENSION OF TAXES.

(a) *Rates.*

Sec. 238. STATE TAX RATES.] The State Finance Commission shall, annually,
2 on the completion of the assessment and equalization of property, ascertain and
3 determine the rate per cent, required to produce the amount of taxes levied by
4 the General Assembly.

Sec. 239. STATE SCHOOL TAX.] There shall be annually assessed and collected
2 at the same time and in the same manner, as other State taxes, such rate of tax
3 on the equalized valuation of the property of this State, as is or may be provided
4 by the laws concerning free schools, which tax shall be denominated the "State
5 school tax," and the moneys arising therefrom be distributed in such manner as
6 is or may be provided by the laws of this State concerning free schools; and no
7 part of the fund raised by the aforesaid tax shall be diverted to or used for any
8 other purpose than the support and maintenance of free schools in this State.

Sec. 240. STATE REVENUES.] The Tax Commissioner shall, annually, compute
2 and certify to the county clerks such separate rates per cent as will produce the net
3 amount of State taxes authorized to be levied.

4 *First*—For revenue purposes, to be designated "Revenue Fund."

5 *Second*—For State school purposes, to be designated "State School Fund."

6 *Third*—For University purposes, to be designated "University Fund."

7 *Fourth*—For such other taxes as may be required to be levied by the State.

8 He shall at the same time forward to the Auditor of Public Accounts for
9 his records, a certified copy of said certificate of levy.

Sec. 241. WHEN A LOCALITY DOES NOT PAY ITS SHARE OF TAX.] Whenever it
2 shall come to the knowledge of the Auditor of Public Accounts that any county,
3 township, city, district or town, or any well defined locality thereof, or any par-
4 ticular class of property therein, has heretofore been or may hereafter be re-
5 leased, from any cause whatever, from its just proportion of State taxes, said
6 Auditor shall cause suit to be commenced in an action of debt, in the name of the

7 People of the State of Illinois, either against the municipality or against the
 8 property unjustly released from taxation, or the owners thereof, for the amount
 9 of such tax, in the Supreme Court of this State; and when judgment may be re-
 10 covered in any such case, the Auditor shall levy a rate of tax on the equalized
 11 valuation of all property or particular class of property in such county, town-
 12 ship, city, district, town or locality, as the case may be, as will pay the State the
 13 amount of such judgment and costs; and it shall be the duty of the county clerk
 14 of the proper county to extend such rate of tax with the State tax of the year di-
 15 rected in the auditor's certificate. Any county clerk neglecting or refusing to ex-
 16 tend such rate, as certified to him by the Auditor, shall be removed from his office,
 17 and in addition thereto shall be subject to a fine of five thousand (\$5,000) dollars,
 18 and damages caused by such neglect or refusal, to be sued for by the Auditor, in
 19 an action of debt, in the name of the People of the State of Illinois, in the Supreme
 20 Court of this State: *Provided*, that in cases where the Auditor and proper local
 21 authorities of the proper municipality can arrange to make such levy to reim-
 22 burse the State in such cases, without suit, the Auditor is hereby authorized to
 23 pursue such course.

Sec. 242. COUNTY TAXES.] The county boards of the respective counties
 2 shall, annually, at the September session, determine the amount of all county
 3 taxes to be raised for all purposes. The aggregate amount shall not exceed the
 4 rate of seventy-five cents on the one hundred dollars valuation, except for the
 5 payment of indebtedness existing at the adoption of the present State constitu-
 6 tion, unless authorized by a vote of the people of the county. When for several
 7 purposes, the amount for each purpose shall be stated separately: *Provided*,
 8 however, that in all counties where, under any law, the county board is or may be
 9 required to pass an annual appropriation bill within the first quarter of the fiscal
 10 year, the tax levy above provided for may be made at any time after such an-
 11 nual appropriation bill shall be in full force and effect.

Sec. 243. TAXES OF TOWNS, CITIES, ETC.] The proper authorities of towns,
 2 townships, districts, and incorporated cities, towns and villages, collecting taxes

under the provisions of this Act, shall annually, on or before the second Tuesday in August, certify to the county clerk the several amounts which they severally require to be raised by taxation, anything in their respective charters, or in Acts heretofore passed by the General Assembly of this State, to the contrary notwithstanding.

Sec. 244. AMOUNT OF TAX AUTHORIZED TO BE LEVIED.] In determining the amount of the maximum tax authorized to be levied by any statute of this State, the assessed valuation of the current year of the property in each taxing district, as finally corrected, equalized or assessed by the State Finance Commission, shall be used. And if the amount of any tax certified to the county clerk for extension shall exceed the maximum allowed by law, determined as above provided, such excess shall be disregarded, and the residue only treated as the amount certified for extension.

Sec. 245. LEVY AND EXTENSION OF TAXES.] The county clerk in each county shall ascertain the rates per cent required to be extended upon the assessed valuation of the taxable property in the respective towns, townships, districts, incorporated cities and villages in his county, as finally corrected, equalized, or assessed by the State Finance Commission for the current year, to produce the several amounts certified for extension by the taxing authorities in said county (as the same shall have been reduced as hereinbefore provided in all cases where the original amounts exceed the amount authorized by law): *Provided, however*, that if the aggregate of all the taxes (exclusive of State taxes, village taxes, levee taxes, school building taxes, high school taxes, district school taxes and all other school taxes in school districts having not more than one hundred thousand (100,000) inhabitants, road and bridge taxes, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified to be extended against any property in any part of any taxing district or municipality, shall exceed three (3%) per cent of the assessed valuation thereof upon which the taxes are required to be extended, the rate per cent of the tax levy of such tax-

ing district or municipality shall be reduced as follows: The county clerk shall reduce the rate per cent of the tax levy of such taxing district or municipality in the same proportion in which it would be necessary to reduce the highest aggregate per cent of all the tax levies (exclusive of State taxes, village taxes, levee taxes, school building taxes, high school taxes, district school taxes, and all other school taxes in school districts having not more than one hundred thousand (100,000) inhabitants, road and bridge taxes, and exclusive of taxes levied pursuant to the mandate or judgment of any court of record on any bonded indebtedness), certified for extension upon any of the taxable property in said taxing district or municipality, to bring the same down to three (3%) per cent of the assessed value of said taxable property upon which taxes are required by law to be extended: *Provided, further,* that in reducing tax levies hereunder the rate per cent of the tax levy,

(a) For County Purposes—

(1) In counties having a population of over three hundred thousand (300,000) shall not be reduced below forty (\$.40) cents on each one hundred (\$100) dollars assessed value:

(2) In counties having a population of less than three hundred thousand (300,000) shall not be reduced below forty-five (\$.45) cents on each one hundred (\$100) dollars assessed value:

(b) In cities and villages having a population of over one hundred fifty thousand (150,000)—

(1) For city or village purposes (exclusive of library, school and park purposes) shall not be reduced below one dollar and ten cents (\$1.10) on each one hundred (\$100) dollars assessed value.

(2) Of the school tax for educational purposes shall not be reduced below one dollar and five cents (\$1.05) on each one hundred (\$100) dollars assessed value.

(c) In cities and villages having a population of less than one hundred fifty thousand (150,000)—

(1) For city or village purposes (exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness) shall not be reduced below one dollar and twenty cents (\$1.20) on each one hundred (\$100) dollars assessed value.

(2) Of the school tax for educational purposes shall not be reduced below one dollar and fifty cents (\$1.50) on each one hundred (\$100) dollars assessed value.

Other taxes which are subject to reduction under this section shall be subject only to such reduction, respectively, as would be made therein under this section if this proviso were not inserted herein: *And Provided, further*, in reducing tax levies hereunder, all school taxes levied in cities exceeding one hundred fifty thousand (150,000) inhabitants, with the exception of the levy for school building purposes, shall be included in the taxes to be reduced.

The rate per cent of the tax levy of every county, city, village, town, township, school district, park district, sanitary district, road district and other public authorities (except the State), shall be ascertained and determined (and reduced when necessary as above provided), in the manner hereinbefore specified, and shall then be extended by the county clerk upon the assessed value of the property subject thereto (being one-third of the full value thereof) as equalized according to law. In reducing the rate per cent of all tax levies, as hereinbefore provided, the rates per cent of all tax levies certified to the county clerk for extension as originally ascertained and determined under the first paragraph of this section, shall be used in ascertaining the aggregate of all taxes certified to be extended without regard to any reductions made therein under this section: *Provided, that* no reduction of any levy hereunder shall diminish any amount appropriated by corporate or taxing authorities for the payment of the principal of or interest on bonded debt, or levied pursuant to the mandate or judgment of any court of record. And to that end every such taxing body shall certify to the county clerk, with its tax levy, the amount required for any such purpose.

77 In case of a reduction hereunder any taxing body whose levy is affected
 78 thereby and whose appropriations are required by law to be itemized, may,
 79 after the same have been ascertained, distribute the amount of such reduction
 80 among the items of its appropriations, with the exceptions aforesaid, as it may
 81 elect. If no such election be made within three months after the extension of
 82 such tax, all such items, except as above specified, shall be deemed to be reduced
 83 *pro rata*.

(b) *Books.*

Sec. 246. COLLECTORS' BOOKS—EXTENDING RATES.] The county clerk shall,
 2 annually, make out for the use of collectors, in books to be furnished by the
 3 county, correct lists of taxable property as assessed and equalized.

4 In counties not under township organization, such books shall be made up by
 5 congressional townships; but parts of fractional townships, less than full town-
 6 ships, may be added to full townships, at the discretion of the county board. In
 7 counties under township organization, said books shall be made to correspond
 8 with the organized townships. Separate books may be made for the collection
 9 of all taxes within the corporate limits of cities, towns and villages. This sec-
 10 tion shall not be construed to interfere with the tax book provided for in this
 11 Act, for the use of county collectors, for collecting all taxes charged against
 12 railroad property and the capital and other property of public utilities.

Sec. 247. BOOKS TO BE RULED.] The respective county clerks shall cause the
 2 collectors' books to be properly ruled for the several classes of property, provid-
 3 ing for each class a column to show the assessed valuation, as the same may
 4 have been finally corrected, equalized or assessed by the county board of taxation
 5 or the State Finance Commission. Said books shall also contain columns for the
 6 extension of taxes and other purposes, one column to show the total amount of
 7 all taxes levied at the same rate on all the taxable property listed in each col-
 8 lector's book, and additional columns for the amount of each other tax and for the
 9 total amount of taxes to be collected for all purposes; said books shall also pro-
 10 vide for the insertion opposite each piece, lot or tract of land, of any sales made

11 of the same for taxes or special assessments for the two preceding years not
 12 cancelled, such tax sales to be designated by the word "sold" stamped in the
 13 proper column opposite the respective piece, lot or tract of land not released
 14 prior to December 1st of each year. The several collectors shall stamp or cause
 15 to be stamped upon all receipts given for taxes the information in the last men-
 16 tioned column, to be known as the tax sale column .

Sec. 248. RAILROAD TAX BOOK—EXTENDING AND COLLECTING TAX.] The county

2 clerk shall procure, at the expense of the county, a record book, properly ruled
 3 and headed, in which to enter the railroad property of all kinds, as listed for
 4 taxation, and shall enter the valuations as assessed, corrected and equalized, in
 5 the manner provided by this Act; and against such assessed, corrected or equal-
 6 ized valuation, as the case may require, the county clerk shall extend all the taxes,
 7 thereon for which said property is liable.

Sec. 249. BOOK FOR TAX ON CAPITAL AND OTHER PROPERTY OF PUBLIC UTILITIES.]

2 The tax charged on the capital and other property of public utilities other than
 3 railroads, shall be placed in the hands of the county collector, in a book provided
 4 for that purpose, the same as is required for railroad property, and may be in-
 5 cluded in the same book with railroad property.

(c) *Extension of Taxes.*

Sec. 250. EXAMINATION AND CORRECTION OF LOCAL TAX LEVIES.] On or before the

2 first Tuesday in October of each year, the county clerk shall lay before the coun-
 3 ty board of taxation the certificates received by him from the proper authorities
 4 of counties, towns, townships, districts and incorporated cities, towns and vil-
 5 ages as to the several amounts which they severally require to be raised by taxa-
 6 tion, with an abstract showing the amount of taxes certified by each authority
 7 and the rates per cent required to be extended upon the assessed valuation of the
 8 taxable property in the respective counties, towns, townships, districts and incor-
 9 porated cities, towns and villages to produce the several amounts certified for ex-
 10 tension. The county board of taxation shall examine all such certificates and the
 11 abstract thereof and all other statements, papers and records submitted to them

12 relating to the levy of taxes. They shall hear and duly consider all objections made
 13 to raising such moneys by any taxpayer to be affected thereby. If it shall appear
 14 to the board that any certificate is in anywise defective, or that any proceeding to
 15 authorize the raising of any moneys has not been had, or is in anywise imperfect,
 16 or that any such levy is invalid and such certificate, proceeding or levy can be
 17 corrected or had, such board may authorize and require such defects or omissions
 18 or proceedings to be corrected or had. It may refer any or all such certificates,
 19 records and proceedings to the State's Attorney of the county, whose duty it
 20 shall be to examine the same without delay, and report in writing, his opinion to
 21 the said board. The said county board of taxation shall direct that such of the
 22 several amounts of money proposed to be raised by taxation for county, town,
 23 township, district, city, village and all other purposes, as shall be authorized by
 24 law, be extended upon the collectors' books. Such action and direction shall be
 25 entered in full upon the records of the proceedings of the board, and shall be
 26 deemed final as to the levy of all such taxes.

27 Objection by any taxpayer or taxpayers to the raising of any such moneys
 28 must be in writing and be filed with said county board of taxation at least ten
 29 days before the first Tuesday in October of the year in which the levies so ob-
 30 jected to are made.

Sec. 251. BASIS FOR EXTENDING TAXES.] All rates for taxes shall be com-
 2 puted and extended by the county clerk, on the assessed valuation of property as
 3 determined after the assessment of property and the review and equalization of
 4 assessments by the State Finance Commission. In the extension of taxes the
 5 portion of a cent shall be extended as one cent.

Sec. 252. RATES OF EQUALIZATION—HOW EXTENDED.] Said clerks shall ex-
 2 tend the rates of addition or deduction ordered by the county board of taxation
 3 and the State Finance Commission in the several columns provided for that
 4 purpose. The rates per cent ordered by the State Finance Commission shall be
 5 extended on the assessed valuation of property, as corrected and equalized by
 6 the county board of taxation—except that in case of railroad property denomi-
 7 ated "railroad track" and "rolling stock" and the capital and other property

8 of public utilities and of companies and associations required to be assessed by
 9 the Tax Commissioner, said rates shall be extended on the valuations of such
 10 designated property as assessed by the Tax Commissioner and as assessed, re-
 11 vised and equalized by the State Finance Commission. In all cases of extension
 12 of valuations, where the equalized valuation shall happen to be fractional, the
 13 clerk shall reject all such fractions as may fall below fifty cents; fractions of
 14 fifty cents or more shall be extended as one dollar.

Sec. 253. STATE AND COUNTY RATES OF EQUALIZATION STATED.] It shall be
 2 the duty of the county clerk to make, in each collector's book, a certificate of
 3 the rate of deduction or addition determined by the State Finance Commis-
 4 sion, in the county to which such books shall pertain; and, also, the rate of
 5 addition or deduction determined by the county board of taxation, in the town,
 6 district, city or village to which such book shall pertain.

Sec. 254. EXTENSION OF TOWN, CITY, ETC., TAXES.] The said clerks shall
 2 estimate and determine the rate per cent upon the proper valuation of property
 3 in the respective towns, townships, districts and incorporated cities, towns and
 4 villages in their counties, that will produce, within the proper divisions of such
 5 counties, not less than the net amount of the several sums that shall be required
 6 by the county boards or certified to them according to law.

Sec. 255. FORFEITED PROPERTY—BACK TAXES.] In all cases where any real
 2 property has heretofore been or may hereafter be forfeited to the State for
 3 taxes, it shall be the duty of the clerk, when he is making up the amount of tax
 4 due on such real property for the current year, to add the amount of back tax,
 5 interest, penalty and printer's fees remaining due on such real property, with
 6 interest at twenty-five (25%) per cent on all taxes levied and forfeited on the
 7 amount of tax due, to the tax of the current year, and the aggregate amount so
 8 added together shall be collected in like manner as the tax on other real property
 9 for that year may be collected: *Provided*, that the county clerk shall first care-
 10 fully examine said list, and strike out therefrom all errors, and otherwise make
 11 such corrections as may be necessary with respect to such property or tax.

Sec. 256. FORFEITED SPECIAL ASSESSMENTS—BACK SPECIAL ASSESSMENTS.] In
 2 all cases where any real property has heretofore been or may hereafter be for-
 3 feited to the State for special assessments, it shall be the duty of the officer of
 4 the city, village or town in which such property has been or may be forfeited
 5 for special assessments, as the case may be, who is authorized to collect the
 6 special assessments for such city, village or town, when he is making up the
 7 amount of special assessments due on such real property for the current year,
 8 to add the amount of back special assessments, interest, penalty and printer's
 9 fees remaining due on such real property, with one year's interest at the rate
 10 of twenty-five (25%) per cent on all such special assessments levied and forfeited,
 11 to the special assessment of the current year, and the aggregate amount so
 12 added together shall be collected in like manner as the special assessments on
 13 other real property for that year may be collected: *Provided*, that such offi-
 14 cers shall first carefully examine said list, and strike out therefrom all errors,
 15 and otherwise make such corrections as may be necessary with respect to such
 16 property or special assessments.

Sec. 257. OMITTED PROPERTY—UNCOLLECTED PERSONAL PROPERTY TAX.] In
 2 case of assessment of omitted property the arrearages of tax which might have
 3 been assessed, with ten per cent (10%) interest thereon, from the time the same
 4 ought to have been paid, shall be charged against such property by the county
 5 clerk. It shall be the duty of county clerks to add uncollected personal property
 6 tax to the tax of any subsequent year, whenever they may find the person
 7 owing such uncollected tax assessed for any subsequent year.

8 NOT PRIOR TO DATE OF OWNERSHIP—NOTICE.] No such charge for tax and in-
 9 terest for previous years, as provided for herein, shall be made against any
 10 property prior to the date of ownership of the person owning such property
 11 at the time the liability for such omitted tax was first ascertained.

Sec. 258. TAX NOT COLLECTED ADDED TO SUBSEQUENT YEAR.] If the tax or as-
 2 sessment on property liable to taxation is prevented from being collected for
 3 any year or years, by reason of any erroneous proceeding or other cause, the
 4 amount of such tax or assessment which such property should have paid may be

5 added to the tax on such property for any subsequent year, in separate columns
 6 designating the year or years: *Provided*, that the owner of property, if known,
 7 assessed under this section, shall be notified by the clerk.

Sec. 259. SHARES OF STATE AND NATIONAL BANKS.] The county clerk, to whom
 2 returns of the names and residences of stockholders and the assessed value of
 3 the shares held by them are made, as provided in section 200, shall enter the val-
 4 uation of such shares in the tax lists, in the names of the respective owners of
 5 the same, and shall compute and extend taxes thereon the same as against the
 6 valuation of other property in the same locality.

Sec. 260. LEVY AND EXTENSION OF TAXES AGAINST CAPITAL AND OTHER PROPERTY
 2 OF COMPANIES AND ASSOCIATIONS.] The county clerks of the respective counties
 3 shall extend the taxes for all purposes on the amounts certified by the Tax Com-
 4 missioner as the assessed valuations of the capital and other property of com-
 5 panies and associations located in their counties the same as may be levied on
 6 the other property in such towns, districts, villages or cities in which such com-
 7 panies or associations are located.

Sec. 261. EXTENSION OF TAXES AGAINST "RAILROAD TRACK" AND "ROLLING
 2 STOCK" AND CAPITAL AND OTHER PROPERTY OF RAILROAD COMPANIES AND PUBLIC UTILI-
 3 TIES.] The county clerks of the respective counties shall distribute the assessed
 4 value of "railroad track" and "rolling stock" and the capital and other prop-
 5 erty of railroad companies and other public utilities, as certified to them by the
 6 Tax Commissioner, to the county and to the several towns, districts, villages
 7 and cities in their counties, entitled to a proportionate value of such "railroad
 8 track", "rolling stock" and the capital and other property of railroad compan-
 9 ies and other public utilities as hereinbefore provided, and said clerk shall ex-
 10 tend taxes against such values, the same as against other property in such
 11 towns, districts, villages and cities.

Sec. 262. STATEMENT TO AUDITOR AND TAX COMMISSIONER.] When the books
 2 or lists for the collectors are completed, the county clerk shall make a complete
 3 statement of the assessment and taxes charged, on blanks, and in conformity to

4 instructions furnished to him by the Auditor of Public Accounts. The clerk shall
 5 record said statement, and forward it, properly certified, to the Auditor, and a
 6 certified copy thereof to the Tax Commissioner.

TITLE IV.

COLLECTION OF TAXES.

ARTICLE I.

DELIVERY OF BOOKS, WARRANTS, AND CERTIFICATES TO COLLECTORS.

Sec. 263. WHEN BOOKS FOR THE COLLECTION OF TAXES TO BE DELIVERED TO COL-
 2 LECTOR.] The county clerk shall deliver to the town, district or county collectors
 3 the books for the collection of taxes on the second day of January following the
 4 year on which such taxes are levied; and it shall be the duty of the collectors,
 5 within such time, or as soon thereafter as they are qualified, to call at the clerk's
 6 office and receive said books. The tax book, provided for collecting all taxes
 7 charged against railroad property and the capital and other property of public
 8 utilities, shall be delivered to the county collector within the same time, annually,
 9 or as soon thereafter as he is qualified.

Sec. 264. COLLECTOR'S WARRANT.] To each collector's book a warrant, under
 2 the hand and official seal of the county clerk, shall be annexed, commanding the
 3 collector to collect from the several persons named in said book the several sums
 4 entered in the column of totals opposite their respective names. The warrant
 5 shall direct the collector to pay over the several kinds of taxes that may be col-
 6 lected by him, to the respective officers entitled thereto, less the compensation for
 7 collection allowed him by law.

Sec. 265. DISTRESS FOR PERSONAL TAX.] In all cases the warrant shall author-
 2 ize the town or district collector, in case any person named in such collector's
 3 book shall neglect or refuse to pay his personal property tax, to levy the same by
 4 distress and sale of the goods and chattels of such person; and it shall require all
 5 payments therein specified to be made by such town or district collector on or
 6 before the tenth day of March ensuing.

Sec. 266. HOW TO PAY OVER TAXES COLLECTED.] The warrant shall direct
 2 the town or district collector, after deducting the compensation to which he may
 3 be legally entitled, to pay over to the proper officers the amount of tax collected
 4 for the support of highways and bridges, and to the supervisor of the town the
 5 moneys which shall have been collected therein, to defray town expenses; to the
 6 proper school officers, the district school tax; to the city or incorporated town
 7 or village treasurer, or other proper officer, the taxes or special assessments col-
 8 lected by him for such city or incorporated town or village, or others, as often
 9 and at such times as may be demanded by the proper officer; and to the county
 10 collector, the county tax and the taxes payable to the State treasury collected by
 11 him.

Sec. 267. WARRANTS TO DEPUTY COLLECTORS.] The county clerk, on being re-
 2 quested by any collector, shall attach a warrant, under his hand and the seal
 3 of his office, to any list furnished by such collector to his deputy, which warrant
 4 shall be in the same manner and form as is required in the original collector's
 5 list or book, except that the amount collected by such deputy shall be paid to the
 6 collector, who shall pay the same over to the proper officer or persons.

Sec. 268. DELIVERY OF RAILROAD TAX BOOK TO COUNTY COLLECTOR.] At the
 2 proper time fixed by this Act for delivering tax books to the county collector, the
 3 clerk shall attach a warrant to the railroad tax book provided in section 248, un-
 4 der his seal of office, and deliver said book to the county collector, upon which
 5 the county collector is hereby required to collect the taxes therein charged, and
 6 pay over and account for the same in the manner provided in other cases. Said
 7 book shall be returned by the collector and be filed in the office of the county
 8 clerk for future use.

Sec. 269. COUNTY CLERK'S CERTIFICATE TO COUNTY COLLECTOR.] On the de-
 2 livery of the tax books to the town or district collectors, the clerk shall make
 3 a certified statement setting forth the name of each town or district collector,
 4 the amount of taxes to be collected and paid over for each purpose for which the

5 tax is levied in each of the several towns or districts, cities and villages, and fur-
 6 nish the same to the county collector.

Sec. 270. DEATH OF COLLECTOR.] In case of the death of any collector during
 2 the time the tax books are in his hands, and before the time specified in this
 3 Act for making settlements, the county clerk shall demand and take charge of the
 4 tax books. Said clerk shall appoint one or more competent persons to examine
 5 said tax books; and it shall be the duty of the persons so appointed to ascertain
 6 the amount remaining uncollected, and make out a correct abstract of the same:
 7 *Provided*, that should there be but a small portion of the taxes collected at the
 8 time of the death of the collector, then the amount actually collected shall be
 9 ascertained, and the same books used in completing the collections.

Sec. 271. FAILURE TO DELIVER TAXBOOKS NOT TO VITIATE.] Any failure to de-
 2 liver the collector's books within the time required by this Act shall in no way
 3 affect the validity of the assessment and levy of taxes, but in all cases of such
 4 failure, the assessment and levy of taxes shall be held to be as valid and binding
 5 as if said books had been delivered at or within the time required by law.

Sec. 272. DELIVERING BOOKS BEFORE COLLECTOR'S BOND FILED.] If any county
 2 clerk shall deliver the tax books into the hands of the county collector, or if any
 3 collector shall receive said books or collect any taxes until such collector's bond
 4 has been approved and filed, as required by this Act, said clerk and collector, and
 5 each of them, shall be liable to a penalty of not less than five hundred (\$500) dol-
 6 lars, and all damages and costs, to be recovered in an action of debt; and the Audi-
 7 tor of Public Accounts shall bring suit therefor, in the name of the People of the
 8 State of Illinois—the amount recovered on such fines to be paid into the State
 9 treasury as revenue fund. Nothing in this section shall be construed as reliev-
 10 ing the securities of a collector from liabilities incurred under a bond not ap-
 11 proved and filed by the Auditor.

ARTICLE II.

MODE OF COLLECTING TAXES.

(a) *In General.*

Sec. 273. KIND OF FUNDS.] The revenue for State purposes shall be collected
2 in gold and silver coin, United States legal tender notes, current national bank
3 notes and warrants of the Auditor of Public Accounts, and in no other currency.
4 The county revenue shall be collected in gold and silver coin, United States legal
5 tender notes, current national bank notes, county orders and jury certificates,
6 and in no other currency. The revenue for city purposes shall be col-
7 lected in gold and silver coin, United States legal tender notes, current national
8 bank notes, city comptrollers', city auditors', or city clerks' warrants or orders
9 on the city treasurer, and in no other currency. State taxes levied for any spe-
10 cial purpose, other than to defray the ordinary expenses of the State govern-
11 ment, shall be collected in gold and silver coin, United States legal tender notes,
12 current national bank notes, and in no other currency. All other taxes shall be
13 collected in gold and silver coin, United States legal tender notes and in cur-
14 rent national bank notes, and in no other currency unless otherwise specially
15 provided for.

Sec. 274. HOW COLLECTION MADE.] Every town collector, upon receiving
2 the tax book or books, shall proceed to collect the taxes therein mentioned, and
3 for that purpose shall call at least once on the person taxed, or at his place of
4 residence or business, if in the town of such collector, and shall demand payment
5 of the taxes charged to him on his property. In counties not under township
6 organization, it shall be the duty of the collector to give notice, in a newspaper
7 published in the county, if any such newspaper there be, stating when and
8 where he will be prepared to receive such taxes, which said notice shall be pub-
9 lished at the first publication of such newspaper after the delivery to such
10 collector of the tax book or tax books, and immediately upon receipt of such tax
11 book or tax books the said collector shall cause to be posted in three of the most
12 public places in each precinct of his county, a like notice and the publication of

13 said notices in said newspaper and the posting thereof as provided herein, shall
14 be deemed a sufficient demand for said taxes.

Sec. 275. REMOVAL WITHIN COUNTY.] In case any person against whom a
2 tax shall be assessed, under the provisions of this Act, shall have removed from
3 one town or district to another town or district in the same county without pay-
4 ing such tax, it shall be lawful for the collector having the tax books in which
5 such tax is charged, to levy and collect such tax of the goods and chattels of the
6 person assessed, in any town or district within said county to which such per-
7 son shall have removed, or from property of such person wherever the same may
8 be found in said county.

Sec. 276. REMOVAL FROM COUNTY.] In case any person against whom taxes
2 have been levied, under the laws of this State, in any county, town, city
3 or district of this State, shall have removed from such county, town, city or dis-
4 trict, after such assessment has been made, and before the collection of the same,
5 the county clerk, when directed by the county board, shall issue a warrant un-
6 der his hand and seal of office, directed to any sheriff, coroner or constable of
7 the county, town, city or district to which such person may have removed, com-
8 manding such officer to whom the warrant may be directed to make the amount
9 of such tax, together with the costs and charges that may accrue, from the per-
10 sonal property of the person owing such tax,—distrain and sale of property
11 under this section to be in the same manner as provided in this Act for other
12 cases of distrain and sale of personal property. The taxes which may be col-
13 lected under this section shall be disposed of in the manner required by this
14 Act with respect to taxes collected in any other manner. All other parts of
15 this Act providing for cases of failure of officers to pay over taxes, shall apply
16 to all officers, collecting taxes under this section, who fail to pay over and cor-
17 rectly account at the proper time and manner for the taxes collected by them.

Sec. 277. COLLECTION AFTER RETURN OF COUNTY COLLECTOR.] The power and
2 duty to levy and collect any tax due and unpaid, shall continue and devolve upon

3 the county collector and his successors in office, after his return and final settle-
 4 ment until the tax is paid; and the warrant attached to the collector's book shall
 5 continue in force and confer authority upon the collector to whom the same
 6 was issued, and upon his successors in office, to collect any tax due and uncol-
 7 lected thereon, although such books may have been returned, or the tax carried
 8 forward into any other book. This section shall apply to all collectors' books
 9 and tax warrants heretofore issued, upon which taxes may be due and unpaid, as
 10 well as those hereafter issued.

Sec. 278. PAYMENT ON PART OF TRACT—UNDIVIDED INTEREST.] The collector
 2 shall receive taxes on part of any lot, piece or parcel of land charged with taxes,
 3 when a particular specification of the part is furnished. If the tax on the re-
 4 mainder of such lot or parcel of land shall remain unpaid, the collector shall
 5 enter such specification in his return, so that the part on which the tax re-
 6 mains unpaid may be clearly known. The tax may be paid on an undivided share
 7 of real estate. In such case the collector shall designate on his record upon
 8 whose undivided share the tax has been paid.

Sec. 279. FORM OF RECEIPT.] On the application of any person to pay any
 2 tax or special assessment upon any real property, it shall be the duty of the
 3 county collector to make out to such person a receipt, in which shall be noted all
 4 taxes and assessments upon such property, returned to such collector and not
 5 previously paid.

Sec. 280. ENTRY OF PAYMENT—RECEIPT—EVIDENCE—NAME, ETC., OF OWNER.]
 2 Whenever any person shall pay the taxes charged on any property, the collector
 3 shall enter such payment in his book, and give a receipt therefor, specifying for
 4 whom paid, the amount paid, what year paid for, and the property and value
 5 thereof on which the same was paid, according to its description in the collec-
 6 tor's books, in whole or in part of such description, as the case may be; and
 7 such entry and receipt shall bear the genuine signature of the collector or his
 8 deputy receiving such payment; and whenever it shall appear that any receipt
 9 for the payment of taxes shall be lost or destroyed, the entry so made may be

10 read in evidence in lieu thereof. The collector shall enter the name of the
11 owner, or the person paying tax, opposite each tract or lot of land, when he
12 collects the tax thereon, and the post-office address of the person paying such
13 tax.

Sec. 281. DEMAND FOR ASSESSMENT WHEN TAX PAID.] When any special as-
2 sessment is returned against property, as hereinafter provided, the taxes upon
3 which shall have been paid to the town or district collector, it shall be the duty
4 of the county collector to cause demand to be made for the payment of such spe-
5 cial assessment, or a notice thereof to be sent by mail, or otherwise, to the
6 owner, if his place of residence is known. The certificate of a collector that such
7 demand was made or notice given shall be evidence thereof.

Sec. 282. COUNTY COLLECTORS' MISCELLANEOUS POWERS TO COLLECT.] County
2 collectors shall have the same powers, and may proceed in the same manner, for
3 the collection of any tax on real or personal property, as town or district collect-
4 ors; and if in any town or collection district the office of town or district collect-
5 or is or shall become vacant, and such vacancy shall not be filled on or before the
6 tenth day of March next following such vacancy, or if in any town or collection
7 district the books for the collection of taxes, for any reason, have not been or shall
8 not be delivered to the town or district collector, on or before the tenth day of
9 March in any year, the county clerk shall deliver all such collectors' books to the
10 county collector of such county having annexed to each of such books a warrant
11 under the hand and official seal of the county clerk, commanding such county col-
12 lector to collect from the several persons named in such books, the several sums
13 of taxes therein charged opposite their respective names, and authorizing him
14 in case any person named in such collector's books shall neglect or refuse to pay
15 his personal property tax, to collect the same by distress, and sale of the goods
16 and chattels of such person. It shall thereupon be the duty of such county
17 collector to collect and pay over all taxes, assessments, and other charges shown
18 in such books and to do all acts, required of him by law, in like manner as if
19 such taxes, assessments, and other charges, had been duly returned delinquent

by a town or district collector. The collector's books so delivered to the county collector, by the county clerks, shall, for all purposes, in all subsequent proceedings, be used in the same manner, and have the same force and effect as if said books were delivered to the town or district collectors, and duly returned by them, as provided by law. When any injunction restraining the collection of taxes shall be dissolved after the tax books shall have been returned to the county collector, such taxes or the portion thereof, upon which such injunction shall have been dissolved, shall be paid to the county collector, who shall have the same power and shall proceed in the same manner for the collection of such taxes, as though the same or such portion thereof had never been enjoined.

(b) *Lien of Taxes.*

Sec. 283. FORECLOSURE OF LIEN ON REAL ESTATE FOR TAXES FORFEITED TO THE STATE.] The taxes upon real property, together with all penalties, interests and costs, that may accrue thereon, shall be a prior and first lien on such real property, superior to all other liens and incumbrances, from and including the first day of April in the year in which the taxes are levied until the same are paid; which lien may be foreclosed in equity in any court of competent jurisdiction in the name of the People of the State of Illinois, whenever the taxes for two or more years, upon the same description of property, shall have been forfeited to the State, and may be sold under the order of the court by the person having authority to receive State and county taxes, with the same notice to interested parties and right of redemption from said sale, as is now provided by law, and in conformity with sections four (4) and five (5) of Article IX of the Constitution of this State. In proceedings to foreclose the tax lien on any real property, the amount due on the collector's books against the said property shall be *prima facie* evidence of the amount of taxes against the property. When any taxes are collected in any such foreclosure proceedings, they shall be paid to the county collector, to be distributed by him to the respective authorities entitled thereto.

Sec. 284. LIEN OF TAX ON PERSONALITY.] The taxes assessed upon personal
 2 property shall be a lien upon the personal property of the person assessed, from
 3 and after the time the tax books are received by the collector.

Sec. 285. LIEN IN FAVOR OF AGENT, ETC., FOR TAX PAID.] When property is as
 2 sessed to any person as agent for another, or in a representative capacity, such
 3 person shall have a lien upon such property, or any property of his principal in
 4 his possession, until he is indemnified against the payment thereof, or, if he has
 5 paid the tax, until he is reimbursed for such payment.

Sec. 286. LIEN ON STOCK OF CERTAIN ASSOCIATIONS.] Taxes on stock of Mu-
 2 tual Building, Loan and Homestead Associations for the purpose of building
 3 and improving homesteads and loaning money to the members thereof only, shall
 4 be a lien upon such stock on and after the first day of April of the year in
 5 which it is assessed.

Sec. 287. HOW TAX ON BANK SHARES COLLECTED—LIEN.] The collector of
 2 taxes, and the officer or officers authorized to receive taxes from the collector,
 3 may, all or either of them, have an action to collect the tax assessed on any share
 4 or shares of bank stock from the avails of the sale of such share or shares;
 5 and the tax against such share or shares shall be and remain a lien thereon till
 6 the payment of said tax.

Sec. 288. DIVIDENDS TO BE HELD FOR TAXES—SHARES SOLD.] For the purpose
 2 of collecting taxes on bank stock, it shall be the duty of every bank liable to such
 3 tax or the managing officer or officers thereof, to retain so much of any dividend
 4 or dividends belonging to such stockholders as shall be necessary to pay any
 5 taxes levied upon their shares of stock, respectively, until it shall be made to
 6 appear to such bank or its officers that such taxes have been paid; and any offi-
 7 cer of any such bank who shall pay over or authorize the paying over of any such
 8 dividend or dividends, or any portion thereof, contrary to the provisions of this
 9 section, shall thereby become liable for such tax.

(c) *Distress and Sale of Personal Property for Non-Payment of Taxes.*

Sec. 289. DISTRESS FOR TAXES.] In case any person, company or corpora-
 2 tion shall refuse or neglect to pay the taxes imposed on him or them, when de-
 3 manded, it shall be the duty of the collector to levy the same, together with the
 4 costs and charges that may accrue, by distress and sale of the personal property
 5 of the person, company or corporation who ought to pay the same.

Sec. 290. SALE OF PROPERTY DISTRAINED—SURPLUS.] The collector shall give
 2 public notice of the time and place of sale, and of the property to be sold, with the
 3 name of the delinquent, at least five days previous to the day of sale, by adver-
 4 tisements, to be posted up in at least three public places in the town or district
 5 where such sale is to be made. Such sale shall be by public auction and, if
 6 practicable, no more property shall be sold than sufficient to pay the tax, costs
 7 and charges due. If the property distrained shall be sold for more than the
 8 amount of the taxes and charges due, the surplus shall be returned to the person
 9 in whose possession such property was when the distress was made, if no claim
 10 be made to such surplus by any other person. If any other person shall claim
 11 such surplus, on the ground that the property sold belonged to him, and such
 12 claim be admitted by the person for whose tax the same was distrained, the sur-
 13 plus shall be paid to such owner.

Sec. 291. FEES ON DISTRAINT.] In levying on and selling personal property
 2 for taxes, the collector shall be governed by the same rules and be entitled to the
 3 same fees as constables are or may be for like services on executions; but in no
 4 case shall any collector charge mileage, unless he is compelled to distrain prop-
 5 erty.

Sec. 292. PERSONAL PROPERTY CHARGEABLE WITH REAL ESTATE TAXES AND VICE
 2 VERSA.] Personal property shall be liable for taxes levied on real property, and
 3 real property shall be liable for taxes levied on personal property; but the tax on
 4 personal property shall not be charged against real property, except in cases of
 5 removals, or where said tax cannot be made out of the personal property; but
 6 the tax on real property may be made out of personal property, at any time

7 after the tax becomes due, by any collector having the tax books in his hands, by
 8 distraint and sale, in the manner provided in this Act: *Provided*, that no per-
 9 son shall be subject to have his personal property distrained and sold for tax
 10 on real estate, which may have been listed and assessed in his name, when he
 11 makes oath, or otherwise satisfies the collector, that he did not own such real
 12 property on the preceding first day of April.

Sec. 293. SALE OF BANK STOCK BY COLLECTOR.] If the tax in this Act pro-
 2 vided on shares of bank stock, shall not be paid, the collector of taxes where said
 3 bank is located shall sell said share or shares to pay the same, like other per-
 4 sonal property. And in case of sale the provision of law in regard to the trans-
 5 fer of stock when sold on execution, shall apply to such sale.

(d) *Delinquent Taxes.*

(1) In General.

Sec. 294. DELINQUENT DEFINED—INTEREST.] All real estate upon which
 2 taxes remain due and unpaid on the tenth day of March, annually or at the time
 3 the town or district collector makes return of his books to the county collector,
 4 shall be deemed delinquent, and all such due and unpaid taxes shall bear interest
 5 after the first day of May at the rate of one per cent per month until paid or
 6 forfeited; parts or fractions of a month shall be reckoned as a month. And all
 7 such collections on account of interest shall be paid into the county treasury to
 8 be used for county purposes.

Sec. 295. DELINQUENT SPECIAL ASSESSMENT.] When any special assessment
 2 made by any city, town or village, pursuant to its charter, or by any corporate
 3 authorities, commissioners or persons, pursuant to law, remains unpaid in whole
 4 or in part, return thereof shall be made to the county collector on or before
 5 the tenth day of March next after the same shall have become payable, in like
 6 forms as returns are made for delinquent land tax; together with any back and
 7 forfeited special assessments added thereto as provided by law. County col-
 8 lectors shall collect, account for and pay over the same to the authorities or per-
 9 sons having authority to receive the same, in a like manner as they are required

10 to collect, account for and pay over taxes. The county collector may, upon re-
 11 turn of delinquent special assessments to him, transfer the amounts thereof from
 12 such returns to the tax books in his hands, setting down therein, opposite the
 13 respective tracts, or lots, in proper columns to be prepared for that purpose,
 14 the amounts assessed against such tract or lot: *Provided*, that the officer of
 15 the city, village or town authorized to collect such special assessments, shall
 16 prepare duplicate lists of due and unpaid special assessments and deliver a
 17 copy thereof to the town or district collector in the town or district in which
 18 such special assessments have been assessed, on or before the 2nd day of Janu-
 19 ary of each year. As to such special assessments, such town or district collector,
 20 as the case may be, shall from the time of the delivery of said lists be *ex officio*
 21 deputy officer of such city, village or town, for the purpose, only, of collecting
 22 such special assessments, and shall from time to time account therefor to the offi-
 23 cer of such city, village or town from whom he receives said lists, when and as
 24 often as called upon by such officer.

Sec. 296. SPECIAL ASSESSMENTS—RETURN LIMITED.] When any special as-
 2 sessment is not returned to the county collector on or before the tenth day of
 3 March next after it is due, the same may be returned on or before the tenth day
 4 of March in the succeeding year; and if not then returned, it shall be considered
 5 barred, unless return is prevented by an injunction or order of court; and the
 6 time such return is thus prevented shall be excluded from the computation of
 7 such time.

(2) Advertisement.

Sec. 297. ADVERTISEMENT FOR JUDGMENT AND SALE.] At any time after the
 2 first day of April next after such delinquent taxes and special assesments on
 3 lands and lots shall become due, the collector shall publish an advertisement,
 4 giving notice of the intended application for judgment for sale of such delinquent
 5 lands and lots, in a newspaper published in his county, if any such there be,
 6 and if there be no such paper printed in his county, then in the nearest news-
 7 paper in this State to the county seat of such county. Said advertisement

8 shall be once published at least three (3) weeks previous to the term of the
 9 county court at which judgment is prayed, and shall contain a list of the de-
 10 linquent lands and lots upon which the taxes or special assessments remain
 11 due and unpaid, the names of the owners, if known, the total amount due and
 12 unpaid, and the year or years for which the same are due. Said collector shall
 13 give notice that he will apply to the county court at theterm thereof
 14 for judgment against said lands and lots for said taxes, special assessments, in-
 15 terest and costs, and for an order to sell said lands and lots for the satisfaction
 16 thereof, and shall also give notice that on theMonday next suc-
 17 ceeding the day fixed by law for the commencement of such term of said county
 18 court, all the lands and lots for the sale of which an order shall be made will
 19 be exposed to public sale at the building where the county court is held in said
 20 county, for the amount of taxes, special assessments, interest and costs due
 21 thereon; and the advertisement published according to the provisions of this
 22 section shall be deemed sufficient notice of the intended application for judg-
 23 ment and of the sale of lands and lots under the order of said court. Where the
 24 publisher of any paper that may have been selected by the collector shall be
 25 unable or unwilling to publish such advertisement, the collector shall select some
 26 other newspaper, having due regard to the circulation of such paper.

Sec. 298. PROCEEDINGS AGAINST REAL ESTATE FOR PERSONAL TAX.] When it
 2 becomes necessary to charge the tax on personal property against real property,
 3 the county collector shall select for that purpose some particular tract or lots of
 4 real property owned by the person owing such personal property tax; and in
 5 his advertisement for judgment and sale, shall designate the particular tract or
 6 lots or real property against which such personal property tax is charged, and
 7 in the list filed for judgment, the same facts shall be shown, and the court shall
 8 take cognizance thereof, and give judgment against such tract or lots of real
 9 property, for such personal property tax.

Sec. 299. FIGURES, ETC., USED—ADVERTISEMENT, ETC.] In all advertisements
 2 for the sale of lands and lots for taxes or special assessments, and in entries re-

quired to be made by the clerk of the court or other officer, letters, figures and characters may be used to denote townships, ranges, sections, parts of sections, lots or blocks, or parts thereof, the year or the years for which the taxes are due, and the amount of taxes, special assessments, interest and costs; and the whole of the advertisement shall be contained in one edition of such newspaper and its supplement, if such supplement is necessary: *Provided*, that nothing contained in this section shall prevent the county collector from subsequently advertising and obtaining judgment on lands or lots that may have been omitted through no fault of the collector, or that may have been erroneously advertised or described in the first advertisement.

Sec. 300. COPIES OF PAPER CONTAINING ADVERTISEMENT—PRINTERS' FEES.] The printer, publisher, or financial officer or agent of the newspaper publishing the list of delinquent lands and lots, shall transmit, by mail or other safe conveyance, to the collector, four copies of the paper containing said list, to one of which copies he shall attach his certificate, under oath, of the due publication of the delinquent list for the time required by law (which copy shall be presented by the collector to the county court at the time judgment is prayed), and said copy shall be filed as a part of the records of said court. Upon receipt of said papers, and on demand being made, the collector shall pay to the printer the amount of the fees allowed by law for publishing said list and notice; and it shall be his duty to file one copy of said paper in his office, and deliver one copy to the Auditor of Public Accounts and one copy to the State Treasurer, who shall file and safely preserve them in their respective offices.

Sec. 301. ERROR IN ADVERTISEMENT.] In all cases where there is an error in the advertised list, the fault thereof being the printer's, which prevents judgment from being obtained against any tracts or lots, or against all of said delinquent list, at the time stated in the advertisement that judgment will be applied for, the printer shall lose the compensation allowed by this Act, for such erroneous tracts or lots, or entire list, as the case may be.

(3) Judgment .

Sec. 302. WHEN APPLICATION FOR JUDGMENT MADE, ETC.] All applications for
2 judgment and order of sale for taxes and special assessments on delinquent lands
3 and lots shall be made at the June term of the county court, except that in coun-
4 ties where probate courts have been or may hereafter be established it shall be
5 lawful to make such application for judgment and order of sale to the May term
6 of the county court. If from any cause the court shall not be holden at the
7 term at which judgment is prayed, the cause shall stand continued, and it shall
8 not be necessary to readvertise the list or notice required by law to be advertised
9 before judgment and sale, but at the next regular term thereafter the court shall
10 hear and determine the matter; and if judgment is rendered the sale shall be
11 made on the Monday specified in the notice as provided in section 297, such Mon-
12 day to be fixed by the county collector in the notice. If for any cause the col-
13 lector is prevented from advertising and obtaining judgment at said term it shall
14 be held to be legal to obtain judgment at any subsequent term of said court; but
15 if the failure arises by the county collector's not complying with any of the re-
16 quirements of this Act, he shall be held on his official bond for the full amount
17 of all taxes and special assessments charged against him: *Provided*, that any
18 such failure on the part of the county collector shall not be allowed as a valid
19 objection to the collection of any tax or assessment, or to a rendition of a judg-
20 ment against any delinquent lands or lots included in the application of the
21 county collector: *And provided further*, that on the application for judgment
22 at such subsequent term it shall not be deemed necessary to set forth or estab-
23 lish the reasons of such failure.

Sec. 303. DELINQUENT LIST—FORM.] The collector shall transcribe into a
2 book, prepared for that purpose, and known as the tax, judgment, sale, redemp-
3 tion and forfeiture record, the list of delinquent lands and lots, which shall be
4 made out in numerical order, and contain all the information necessary to be
5 recorded, at least five days before the commencement of the term at which ap-
6 plication for judgment is to be made; which book shall set forth the name of
7 the owner, if known; the proper description of the land or lot, the year or years

8 for which the tax or special assessments are due; the valuation on which the
 9 tax is extended; the amount of the consolidated and other taxes and special as-
 10 sessments; the costs and total amount of charges against such land or lot. Said
 11 book shall also be ruled in columns, so as to show the amount paid before the
 12 rendition of judgment; the amount of judgment, and a column for remarks; the
 13 amount paid before sale and after the rendition of said judgment, the amount of
 14 the sale, amount of interest or penalty, amount of cost, amount forfeited to the
 15 State, date of sale, acres or part sold, name of purchaser, amount of sale and
 16 penalty, taxes of succeeding years, interest and when paid, interest and cost,
 17 total amount of redemption, date of redemption, when deed executed by whom
 18 redeemed, and a column for remarks, or receipt, of redemption money. Such
 19 book shall be kept in the office of the county clerk.

Sec. 304. TAX MAY BE PAID BEFORE SALE.] Any person owning or claiming
 2 lands or lots upon which judgment is prayed, as provided in this Act, may, in
 3 person or by agent pay the taxes, special assessments, interest and costs due
 4 thereon, to the county collector of the county in which the same are situated,
 5 at any time before sale.

Sec. 305. PAYMENTS REPORTED—LIST CORRECTED.] On the first day of the
 2 term at which judgment on delinquent lands and lots is prayed, it shall be the
 3 duty of the collector to report to the clerk all the lands or lots, as the case
 4 may be, upon which taxes and special assessments have been paid, if any, from
 5 the filing of the list mention in section 303, up to that time; and the clerk
 6 shall note the fact opposite each tract upon which such payments have been
 7 made. The collector, assisted by the clerk, shall compare and correct said list,
 8 and shall make and subscribe an affidavit, which shall be, as nearly as may be,
 9 in the following form:

10 I,, collector of the county of.....,
 11 do solemnly swear [or affirm, as the case may be] that the foregoing is a true
 12 and correct list of the delinquent lands and lots within the county of.....,
 13 upon which I have been unable to collect the taxes [and special assessments, in-

14 terest, and printer's fees, if any] charged thereon, as required by law, for the
 15 year or years therein set forth; that said taxes now remain due and unpaid, as I
 16 verily believe.

17 Said affidavit shall be entered at the end of the list, and signed by the
 18 collector.

Sec. 306. JUDGMENT—PROCEEDING BY COURT.] The court shall examine said
 2 list, and if defense in writing, specifying the particular cause of objection, be
 3 offered by any person interested in any of said lands or lots, to the entry of
 4 judgment against the same, the court shall hear and determine the matter in
 5 a summary manner, without pleadings, and shall pronounce judgment as the
 6 right of the case may be. The court shall give judgment for such taxes and
 7 special assessments and penalties as shall appear to be due, and such judg-
 8 ment shall be considered as a several judgment against each tract or lot, or
 9 part of a tract or lot, for each kind of tax or special assessment included there-
 10 in; and the court shall direct the clerk to make out and enter an order for the
 11 sale of such real property against which judgment is given, which shall be sub-
 12 stantially in the following form:

13 Whereas, due notice has been given of the intended application for a judg-
 14 ment against said lands and lots, and no sufficient defense having been made,
 15 or cause shown, why judgment should not be entered against said lands and
 16 lots, for taxes [special assessments, if any,] interest, penalties and costs due
 17 and unpaid thereon for the year or years herein set forth, therefore it is con-
 18 sidered by the court that judgment be and is hereby entered against the afore-
 19 said tract or tracts or lots of land, or parts of tracts or lots [as the case may
 20 be] in favor of the People of the State of Illinois, for the sum annexed to each,
 21 being the amount of taxes [and special assessments, if any], interest, penal-
 22 ties and costs due severally thereon; and it is ordered by the court that the said
 23 several tracts or lots of land, or so much of each of them as shall be sufficient
 24 to satisfy the amount of taxes [and special assessments, if any], interest, penal-
 25 ties and costs annexed to them severally, be sold as the law directs.

26 Said order shall be signed by the judge. In all judicial proceedings of any
 27 kind, for the collection of taxes and special assessments, all amendments may
 28 be made which, by law, could be made in any personal action pending in such
 29 court, and no assessment of property or charge for any of said taxes shall be

30 considered illegal on account of any irregularity in the tax lists or assessment
 31 rolls, or on account of the assessment rolls or tax lists not having been made,
 32 completed or returned within the time required by law, or on account of the
 33 property having been charged or listed in the assessment or tax lists without
 34 name, or in any other name than that of the rightful owner; and no error or
 35 informality in the proceedings of any of the officers connected with the as-
 36 sessment, levying or collecting of the taxes, not affecting the substantial justice
 37 of the tax itself, shall vitiate or in any manner affect the tax or the assess-
 38 ment thereof and any irregularity or informality in the assessment rolls or
 39 tax lists, or in any of the proceedings connected with the assessment or levy of
 40 such taxes, or any omission or defective act of any officer or officers connected
 41 with the assessment or levying of such taxes, may be, in the discretion of the
 42 court, corrected, supplied and made to conform to law by the court, or by the
 43 person (in the presence of the court) from whose neglect or default the same
 44 was occasioned.

Sec. 307. JUDGMENT FOR NON-PAYMENT OF TAXES ON REAL ESTATE.] Judgment
 2 for non-payment of taxes on real estate shall not be prevented by showing that
 3 the owner thereof was possessed of personal property subject to distraint.

Sec. 308. EFFECT OF JUDGMENT AS ESTOPPEL.] Any judgment for the sale
 2 of real estate for delinquent taxes, except as otherwise provided in this section,
 3 shall estop all parties from raising any objections thereto, or to a tax title based
 4 thereon, which existed at or before the rendition of such judgment or decree,
 5 and could have been presented as a defense to the application for such judgment
 6 in the court wherein the same was rendered and as to all such questions, the
 7 judgment itself shall be conclusive evidence of its regularity and validity in all
 8 collateral proceedings, except in cases where the taxes or special assessments
 9 have been paid, or the real estate was not liable to tax or assessment.

Sec. 309. APPEALS.] Appeals from the judgment of the court may be taken
 2 during the same term to the Supreme Court on the party praying an appeal

3 executing a bond to the People of the State of Illinois, with two or more sure-
4 ties to be approved by the court, in some reasonable amount to be fixed by the
5 court, conditioned that the appellant will prosecute his said appeal with ef-
6 fect, and will pay the amount of any tax assessment, and cost which may finally
7 be adjudged against the real estate involved in the appeal by any court having
8 jurisdiction of the cause. But no appeal shall be allowed from any judgment
9 for the sale of lands or lots for taxes, nor shall any writ of error to reverse such
10 judgment operate as a supersedeas, unless the party praying such appeal or de-
11 siring such a writ of error, shall before taking such appeal or suing out such
12 writ of error, deposit with the county collector an amount of money equal to
13 the amount of the judgment and costs. If in case of an appeal, or suing out a
14 writ of error, the judgment shall be affirmed in whole or in part, the Supreme
15 Court shall enter judgment for the amount of the taxes with damages, not to
16 exceed ten per cent, and order that the amount deposited with the collector, as
17 aforesaid, or so much thereof as may be necessary, shall be credited upon the
18 judgment so rendered, and execution shall issue for the balance of said judgment.
19 damages and costs. The clerk of the Supreme Court shall transmit to said county
20 collector, a certified copy of the order of affirmance, and it shall be the duty of
21 the collector, upon receiving the same, to apply so much of the amount deposit-
22 ed with him, as aforesaid, as shall be necessary to satisfy the amount of the judg-
23 ment of the Supreme Court, and to account for the same as collected taxes. If
24 the judgment of the County Court shall be reversed and the cause remanded for
25 a rehearing, and if upon the rehearing, judgment shall be rendered for the sale of
26 the land or lots for taxes, or any part thereof, and such judgment be not appealed
27 from, or a writ of error prosecuted with supersedeas issued thereon, as herein
28 provided, the clerk of the county court shall certify to the county collector the
29 amount of such judgment, and thereupon it shall be the duty of the county col-
30 lector to certify to the county clerk the amount deposited with him, as aforesaid,
31 and the county clerk shall credit the said judgment with the amount of such de-
32 posit, or so much thereof as will satisfy the judgment, and the county collector
33 shall be chargeable with, and accountable for, the amount so credited, as col-

lected taxes. Nothing herein contained shall be construed as requiring an additional deposit in case of more than one appeal or writ of error being prosecuted in said proceedings. If, upon a final hearing, judgment shall be refused for the sale of lands or lots for taxes, or any part thereof, the collector shall pay over to the party who shall have made said deposit, or his legally authorized agent or representatives, the amount of the deposit, or so much thereof as shall remain after the satisfaction of the judgment against the premises in respect of which such deposit shall have been made.

(4) Sale.

Sec. 310. SALE—PROCEEDINGS IN CASE OF APPEAL.] If judgment is rendered by any court, at any time, against any lands or lots, for any tax or special assessment, notice of sale, in compliance with the requirements of section 297, having been published, the county collector shall proceed to execute such judgment by the sale of lots and lands against which such judgment has been rendered: *Provided, however,* that in case of an appeal from any such judgment the collector shall not sell until such appeal is disposed of.

Sec. 311. PROCESS FOR SALE.] On the day advertised for sale, the county clerk, assisted by the collector, shall carefully examine said list upon which judgment has been rendered, and see that all payments have been properly noted thereon, and said clerk shall make a certificate to be entered on the tax, judgment, sale, redemption and forfeiture record, following the order of court that such record is correct, and that judgment was rendered upon the property therein mentioned for the taxes, interest and costs due thereon, which certificate shall be attested by the clerk under seal of the court and shall be the process on which all real property or any interest therein shall be sold for taxes, special assessments, interest and costs due thereon and may be substantially in the following form:

I,, clerk of the county court, in and for the county of, do hereby certify that the foregoing is a true and correct record of the delinquent real estate in said county, against which judgment and order of sale was duly entered in the county court of said county, on

16 the day of, A. D. 19...., for the amount of
 17 the taxes, special assessments, interest and costs due severally thereon as there-
 18 in set forth, and that the judgment and order of court in relation thereto fully
 19 appears on said record.

Sec. 312. MANNER OF CONDUCTING SALE.] The collector, in person or by
 2 deputy, shall attend at the court house in his county on the day specified in the
 4 notice for the sale of real estate for taxes, and then and there, between the hours
 5 of nine o'clock in the forenoon and four o'clock in the afternoon, proceed to
 6 offer for sale, separately and in consecutive order, each tract of land or town or
 7 city lot in the said list on which the taxes, special assessments, interest or costs
 8 have not been paid. The sale shall be continued from day to day until all the
 9 tracts or lots in the delinquent list shall be sold or offered for sale.

Sec. 313. FAILURE OF COLLECTOR TO ATTEND.] . If any collector, by himself
 2 or deputy, shall fail to attend any sale of lands or lots advertised according to
 3 the provisions of this Act, and make sale thereof as required by law, he shall be
 4 liable to pay the amount of taxes, special assessments and costs due upon the
 5 lands or lots so advertised. Said collector may afterwards advertise and sell
 6 such delinquent property to reimburse himself for the amount advanced by
 7 him; but at no such sale shall there be any property forfeited to the State.

Sec. 314. COUNTY CLERK TO ATTEND AT AND ASSIST IN SALE.] The county clerk,
 2 in person or by deputy, shall attend all sales of real estate for taxes, made by the
 3 collector, and shall assist at the same.

Sec. 315. FAILURE OF COUNTY CLERK TO ATTEND OR TO MAKE AND KEEP RECORD.]
 2 If any county clerk shall fail to attend any tax sale of real estate, either in per-
 3 son or by deputy, or to make and keep the record as required by law, he shall
 4 forfeit and pay the sum of five hundred (\$500) dollars, and shall be liable to
 5 indictment for such failure, and upon conviction shall be removed from office.
 6 Said sum shall be sued for in an action of debt, in the name of the People of
 7 the State of Illinois, and when recovered shall be paid into the county
 8 treasury.

Sec. 316. HOW SOLD.] The person at such sale offering to pay the amount
 2 due on each tract or lot for the least percentage thereon as penalty, shall be
 3 the purchaser of such tract or lot: *Provided*, that no bid shall be accepted for
 4 a penalty exceeding twenty-five (25%) per cent of the amount of such tax or
 5 special assessment.

Sec. 317. PAYMENT BY PURCHASER.] The person purchasing any tract or
 2 lot, or any part thereof, shall forthwith pay to the collector the amount charged
 3 on such tract or lot, and on failure so to do, the said tract or lot shall be again
 4 offered for sale in the same manner as if no such sale had been made; and in
 5 no case shall the sale be closed until payment is made, or the tract or lot again
 6 offered for sale.

Sec. 318. CERTIFICATES OF PURCHASE—ASSIGNABLE—EXCEPTION.] The county
 2 clerk shall make out and deliver to the purchaser of any lands or lots sold as
 3 aforesaid a certificate of purchase, to be countersigned by the collector, de-
 4 scribing the land or lots sold as the same was described in the delinquent list,
 5 date of such sale, the amount of taxes, special assessments, interest and cost for
 6 which the same was sold, and that payment has been made therefor. The clerk
 7 shall include in such certificate of purchase not to exceed one lot, block, tract or
 8 piece of land as listed, assessed and sold in one description, except in cases
 9 where such lots, blocks, tracts or pieces of land are owned by one party or
 10 person. The certificate of purchase shall be assignable by endorsement and an
 11 assignment thereof shall vest in the assignee or his legal representatives all the
 12 right and title of the original purchaser.

Sec. 319. WRONG NAME NOT TO VITIATE.] No sale of real estate for taxes
 2 shall be considered invalid on account of the same having been charged in any
 3 other name than that of the rightful owner.

Sec. 320. ENTRY OF SALE.] When any tract or lot shall be sold, it shall be
 2 the duty of the clerk to enter on the record, the quantity sold and the name of the

3 purchaser, opposite such tract or lot, in the blank columns provided for that
4 purpose.

Sec. 321. FORFEITED TO THE STATE.] Every tract or lot so offered at
2 public sale, and not sold for want of bidders, shall be forfeited to the State
3 of Illinois. All tracts or lots forfeited to the State at such sale shall be noted
4 on the record.

Sec. 322. SALES IN ERROR—ENTRY.] Whenever it shall be made to appear to
2 the satisfaction of the county clerk that any tract or lot was sold, and that such
3 tract or lot was not subject to taxation, or was one upon which the taxes or
4 special assessments had been paid previous to the sale of said tract or lot, or that
5 the taxes or special assessments arose from a double assessment, or that the de-
6 scription is void for uncertainty, he shall make an entry opposite to such tracts or
7 lots in the record that the same was erroneously sold, and such entry shall be
8 prima facie evidence of the fact therein stated; and unless such error is dis-
9 proved the county collector shall, on demand of the owner of the certificate of
10 such sale, refund the amount paid and cancel such certificate so far as it re-
11 lates to such tract or lots. The collector shall take credit in settlement of his
12 accounts thereafter with such officers as he may be liable to for their pro rata
13 amounts respectively paid aforesaid.

Sec. 323. PURCHASER AT ERRONEOUS SALE PAID BACK.] When the purchaser
2 at such erroneous sale, or any one holding under him, shall have paid any tax or
3 special assessment upon the property so sold, which has not been paid by the
4 owner of the property, he shall have the right to recover from such owner the
5 amount he has so paid, with ten per cent interest, as money paid for the owner's
6 use.

Sec. 324. INDEX TO TAX SALE BOOKS.] The county clerk is hereby authorized
2 to make an index to tax sale records in a book to be furnished by the county—
3 which index shall be kept in the county clerk's office as a public record, open to
4 the inspection of all persons during office hours.

Sec. 325. CERTIFIED COPY OF SALE LISTS TO BE SENT TO AUDITOR.] The county

2 clerk shall, within twenty days after any sale for taxes, make out and transmit
3 to the Auditor of Public Accounts a transcript of sales for taxes, which shall be
4 written on foolscap paper, made up and stitched in book form, suitable for binding.
5 The clerk shall certify to the correctness of said transcript, under the seal
6 of his office. Said list shall not include any tracts or lots forfeited to the State
7 at such sale. The county clerk, for failure to make out, furnish or forward said
8 list, as herein required, shall forfeit and pay into the State treasury the sum of
9 five hundred (\$500) dollars, to be recovered in an action of debt, in the name of
10 the People of the State of Illinois, in any court in this State having competent
11 jurisdiction.

Sec. 326. SALE OF BRIDGE, ETC., FOR TAX.] In default of the payment of any

2 tax assessed against any bridge Company, as provided in sections 161 and 198,
3 such bridge structure and approaches thereto, so far as the same are located
4 within this State, together with the land on which the same is located, as described
5 by the assessor, and the franchise belonging thereto, shall be sold for such tax
6 at the same time and in the same manner as other real estate shall be sold in such
7 county for delinquent tax; and any county, city, town, school district, or other
8 municipal corporation, interested in the collection of the tax levied upon such
9 bridge, may become the purchaser at such sale, or at any sale of such property
10 under judgment recovered upon, or to enforce the collection of such tax; and
11 if the property so sold is not redeemed, may acquire, hold, sell and dispose of
12 the title thereto.

(5) Redemption of Real Estate from Sale for Delinquent Taxes.

Sec. 327. TIME OF REDEMPTION—AMOUNT.] Real property sold under the

2 provisions of this Act may be redeemed at any time before the expiration of
3 two years from the date of sale, by payment in legal money of the United States
4 to the county clerk of the proper county the amount for which the same was sold,
5 together with the amount of the penalty bid at such sale, if redeemed at any time
6 before the expiration of six months from the date of sale; if between six and

7 twelve months, the amount for which the same was sold, together with twice the
 8 amount of the penalty bid; if between twelve and eighteen months, the amount for
 9 which the same was sold, together with three times the amount of the penalty
 10 bid; and if between eighteen months and two years, the amount for which the
 11 same was sold, together with four times the amount of the penalty bid at said
 12 sale. The person redeeming shall also pay the amount of all taxes and special
 13 assessments accruing after such sale with seven (7) per cent penalty thereon,
 14 unless such subsequent tax or special assessment has been paid by or on behalf
 15 of the person for whose benefit the redemption is made and not by the purchaser
 16 at the tax sale or his assignee; and it is hereby made the duty of the county
 17 clerk to include the amount of the subsequent taxes or special assessments paid
 18 by the purchaser or holder of the tax certificate in his certificate of redemption.
 19 If the real property of any minor heir, idiot or insane person shall be sold for
 20 non-payment of taxes or special assessments, the same may be redeemed at
 21 any time after sale and before the expiration of one year after such disability
 22 be removed upon the terms specified in this section, and upon the payment of
 23 ten (10) per cent per annum on the amount due, including penalties from and
 24 after the expiration of two years from the date of sale; which redemption may
 25 be made by themselves, or by any person in their behalf. Tenants in common
 26 or joint tenants shall be allowed to redeem their individual interests in real
 27 property sold under the provisions of this Act, in the same manner and under
 28 the terms specified in this section for the redemption of other real property;
 29 any redemption made shall inure to the benefit of the person having the legal or
 30 equitable title to the property redeemed, subject to the right of the person mak-
 31 ing the same to be reimbursed by the person benefited.

Sec 328. PRINTER'S FEE. In case any person shall be compelled to pub-
 2 lish a notice in a newspaper, as provided in section 334, then, before any person
 3 who may have a right to redeem such lands or lots from such sale shall be per-
 4 mitted to redeem, he shall pay the officer or person who by law is authorized to
 5 receive such redemption money, the amount paid for printer's fee for publish-

ing such notice, for the use of the person compelled to publish such notice as
 aforesaid; the fee for such publication shall not exceed one (\$1) dollar for each
 tract or lot contained in such notice.

Sec. 329. ENTRY OF REDEMPTION.] When any tract or lot sold for delinquent
 taxes or special assessments shall be redeemed from sale, the clerk shall enter
 the name of the person redeeming, the date and the amount of redemption,
 in the proper column of the tax, judgment, sale, redemption and forfeiture
 record.

Sec. 330. WHEN PURCHASER SUFFERS LAND TO BE SOLD AGAIN.] If any pur-
 chaser of real estate at a tax sale for taxes or special assessments shall suffer
 the same to be forfeited to the State, or again sold for taxes or special assess-
 ments, before the expiration of the last day of the second annual sale there-
 after, the land shall be subject to redemption, upon the terms and conditions
 prescribed in this Act, until the expiration of a like term from the date of the
 second sale or forfeiture, but the person redeeming shall only be required to
 pay for the use of such first purchaser, the amount paid by him. The second
 purchaser, if any, shall be entitled to the redemption money, as provided for in
 section 327: *Provided, however,* it shall not be necessary for any municipal
 corporation which shall bid in its own delinquent special assessments, at any
 sale, in default of other bidders, to protect the property from subsequent for-
 feiture or sales, as above required in this section, and such failure on the part
 of municipal corporations so to protect such property, shall not operate to ex-
 tend as against them, the period of redemption nor to deprive them of the re-
 demption moneys as provided in section 327 above.

Sec. 331. EFFECT OF RECEIPT OF REDEMPTION MONEY.] The receipt of the
 redemption money of any tract of land or lot, by any purchaser, or the return
 of the certificate of purchase for cancellation, shall operate as a release of all
 the claim to such tract or lot under or by virtue of the purchase.

Sec. 332. TRANSFER OF REDEMPTION MONEY BY COUNTY CLERK TO SUCCESSOR.]

2 The county clerk shall, at the expiration of his term of office, pay over to his
3 successor in office all moneys in his books received for redemption from sale for
4 taxes on real estate.

Sec. 333. BOOKS, ETC., EVIDENCE.] The books and records belonging to the
2 office of county clerk, or copies thereof, certified by said clerk, shall be deemed
3 *prima facie* evidence to prove the sale of any land or lot for taxes or special as-
4 sessments, the redemption of the same, or payment of taxes or special assess-
5 ments thereon.

(6) Deeds Pursuant to Sale for Delinquent Taxes.

Sec. 334. NOTICE.] Hereafter no purchaser or assignee of such purchaser
2 of any land, town or city lots at any sale of lands, or lots, for taxes or special
3 assessments, due either to the State or county, or incorporated town or city
4 within the same, or at any sale for taxes or levies otherwise, by the laws of this
5 State, shall be entitled to a deed for lands or lots so purchased, until the follow-
6 ing conditions have been complied with, to-wit: Such purchaser or assignee
7 shall serve or cause to be served a written or printed, or partly written or partly
8 printed notice of such purchase on every person in actual possession or occupancy
9 of such land or lot; also upon the person in whose name the same was taxed or
10 specially assessed, if upon diligent inquiry, he or she can be found in the county,
12 also, the owners of or parties interested in said land or lot, including trustees or
13 mortgagees of record, if they can upon diligent inquiry be found in the county, at
14 least three months before the expiration of the time of redemption on such sale,
15 in which notice he shall state when he purchased the land or lot, in whose name
16 taxed, the description of the land or lot he has purchased; for what year taxed or
17 specially assessed, and when the time of redemption will expire.

18 If no person is in possession or occupancy of such land or lot, and the person,
19 in whose name the same was taxed or specially assessed, upon diligent inquiry can-
20 not be found in the county, or said owners of, or parties interested in said land
21 or lot upon diligent inquiry cannot be found in the county, then such person,

22 or his assignee shall publish such notice in some newspaper printed and pub-
 23 lished in such county, and if no newspaper is printed in said county, then in the
 24 newspaper that is published in this State nearest the county seat of the county
 25 in which such land or lot is situated, which notice shall be inserted three times,
 26 the first time not more than five months, and the last time not less than three
 27 months, before the time of redemption shall expire: *Provided, however,* that if
 28 said owners of said land or lot, or said parties interested therein, cannot be
 29 found in the county and the person in actual occupancy is tenant to, or is in
 30 possession under said owner or said party interested therein, then service of
 31 said notice upon said tenant or occupant shall be deemed service upon said
 32 owner or party interested: *Provided, however,* that if the said owners or
 33 parties interested are unknown to such purchaser or his assignee, then the said
 34 publication, as to them, may be to the unknown owner or parties interested
 35 as aforesaid: *And, provided, further,* that said notice of publication shall
 36 include not to exceed one lot, block, tract or piece of land as listed, assessed
 37 and sold in one description, except in cases where more than one lot, block, tract
 38 or piece of land is owned by one party or person, in which case all the lots,
 39 blocks, or tracts owned by such persons may be included in one notice. When any
 40 person who, by the terms of this section, is entitled to be served with notice can-
 41 not, upon diligent inquiry be found, the affidavit in the following section provid-
 42 ed for shall set forth particularly the inquiries made, of whom made, and when
 43 and where made.

Sec. 335. AFFIDAVIT—EVIDENCE—PERJURY.] Every such purchaser or as-
 2 signee, by himself or agent, shall, before he shall be entitled to a deed, make an
 3 affidavit of his having complied with the conditions of the foregoing section, stat-
 4 ing particularly the facts relied on as such compliance—which affidavit shall be
 5 delivered to the person authorized by law to execute such tax deed, and which
 6 shall by him be filed with the officer having custody of the record of the lands
 7 and lots sold for taxes and entries of redemption in the county where such lands
 8 or lots shall lie, to be by such officer entered on the records of his office, and
 9 carefully preserved among the files of his office and which record or affidavit

10 shall be *prima facie* evidence that such notice has been given. Any person
 11 swearing falsely in such affidavit shall be deemed guilty of perjury and pun-
 12 ished accordingly.

Sec. 336. WHEN ENTITLED TO DEED.] At any time after the expiration of
 2 two years from date of sale of any real estate for taxes or special assessments,
 3 if the same shall not have been redeemed, the county clerk, on request, and on
 4 the production of the certificate of purchase, and upon compliance with the three
 5 preceding sections, shall execute and deliver to the purchaser, his heirs or as-
 6 signs, a deed of conveyance for the real estate described in such certificate.

Sec. 337. WHEN PURCHASER SUFFERS LAND TO BE SOLD AGAIN.] If any purchas-
 2 er of real estate at a tax sale for taxes or special assessments shall suffer the
 3 same to be forfeited to the State, or again sold for taxes or special assessments,
 4 before the expiration of the last day of the second annual sale thereafter, such
 5 purchaser shall not be entitled to a deed for such real property until the expira-
 6 tion of a like term from the date of the second sale or forfeiture: *Provided,*
 7 *however,* it shall not be necessary for any municipal corporation which shall bid
 8 in its own special assessments, at any sale, in default of other bidders, to protect
 9 the property from subsequent forfeitures or sales as above required in this sec-
 10 tion.

Sec. 338. WHEN DEED MUST BE TAKEN OUT.] Unless the holder of the cer-
 2 tificate for real estate,*purchased at any tax sale under this Act, takes out the
 3 deed as entitled by law, and files the same for record within one year from and
 4 after the time for redemption expires, the said certificate or deed, and the sale
 5 on which it is based, shall, from and after the expiration of such one year,
 6 be absolutely null. If the holder of such certificate shall be prevented from ob-
 7 taining such deed by injunction or order of any court, or by the refusal of the
 8 clerk to execute the same, the time he is so prevented shall be excluded from
 9 the computation of such time. Certificates of purchase and deeds executed by
 10 the county clerk shall recite the qualifications required in this section.

Sec. 339. FORM OF TAX DEED.] The deed so made by the county clerk under

the official seal of his office shall be recorded in the same manner as other conveyances of real estate, and shall vest in the grantee, his heirs and assigns, the title of the property therein described without further acknowledgment or evidence of such conveyance, and said conveyance shall be substantially in the following form:

STATE OF ILLINOIS, }
County, } ss.

WHEREAS, At a public sale of real estate for the non-payment of taxes, made in the county aforesaid, on the.....day of, A. D., the following described real estate was sold, to-wit: [here place description of real estate conveyed]; and whereas, the same not having been redeemed from said sale, and it appearing that the holder of the certificate of purchase of said real estate has complied with the laws of the State of Illinois necessary to entitle [insert him, her or them] to a deed of said real estate: Now, therefore, know ye, that I,....., county clerk of said county of, in consideration of the premises and by virtue of the statutes of the State of Illinois in such cases provided, do hereby grant and convey unto, his heirs and assigns forever, the said real estate hereinbefore described, subject, however, to any redemption provided by law.

Given under my hand and the seal of our court this.....day of, A. D.
County Clerk.

Sec. 340. TAX DEEDS TO CONTAIN FULL NAMES, ETC.—OF NO FORCE UNTIL FILED.]

All tax deed shall contain the full names and the true post office address and residence of the grantor and grantee and shall not be of any force or effect until after the same has been filed for record in the office of the recorder of deeds.

Sec. 341. WHEN DEED MAY INCLUDE SEVERAL TRACTS—FEE.] . No tax deed

shall include more than one lot, block, tract or piece of land as listed, assessed and sold in one description, except that when any person shall hold more than one certificate of purchase at the same sale, and for the same year's tax or special assessment, the clerk shall, on the request of the holder of such certificates, include in the deed of conveyance, as many such lots, blocks, tracts or

7 pieces of land described in such certificates as may be owned by one party or
8 person, and as the holder of the certificates may desire. The county clerk
9 shall have a fee of fifty (\$.50) cents for each certificate embraced in such deed:
10 *Provided*, that no greater fee than three (\$3.00) dollars shall be charged upon
11 any one deed.

Sec. 342. EVIDENCE RECORDED.] County clerks shall record as evidence
2 upon which deeds are issued, the application, all affidavits and notices filed with
3 the application, the certificate of sale, and all other documents and papers
4 filed in compliance with law, and be entitled to the same fee therefor that may
5 be allowed by law for recording deeds.

Sec. 343. EFFECT OF DEED AS EVIDENCE—REPAYMENT AS CONDITION TO SETTING
2 ASIDE.] Deeds executed by the county clerk as aforesaid shall be *prima facie*
3 evidence in all controversies and suits in relation to the right of the purchaser,
4 his heirs or assigns, to the real estate thereby conveyed of the following facts:
5 *First*, That the real estate conveyed was subject to taxation at the time the same
6 was assessed, and had been listed and assessed in the time and manner required
7 by law. *Second*, That the taxes or special assessments were not paid at any
8 time before sale. *Third*, That the real estate conveyed had not been redeemed
9 from the sale at the date of the deed. *Fourth*, That the real estate was adver-
10 tised for sale in the manner and for the length of time required by law. *Fifth*,
11 That the real estate was sold for taxes or special assessments as stated in
12 the deed. *Sixth*, That the grantee in the deed was the purchaser or assignee of
13 the purchaser. *Seventh*, That the sale was conducted in the manner required by
14 law. Any judgment or decree of court setting aside any tax deed procured
15 under this Act, shall provide that the claimant pay to the party holding such
16 deed all taxes and legal costs, together with all penalties, as provided by law,
17 as it shall appear the holder of such deed or his assignors, shall have properly
18 paid or be entitled to in procuring such deed, before such claimant shall have
19 the benefits of such judgment or decree.

Sec. 344. RECONVEYANCE OF TAX TITLES—PENALTY.] Whenever the grantee
of a tax deed to real estate, or any one claiming thereunder, shall not be in possession or occupation of said premises so claimed and shall not take or institute proceedings in good faith to take possession within one year after the date of the first tax deed under his alleged tax title, then it shall be lawful for the owner of said real estate or his agent or attorney to pay or tender said tax title holder the amount of moneys paid out and expended by said tax title holder upon said sale with five per cent (5%) interest per annum thereon together with subsequent taxes and special assessments paid and the statutory fees and costs incurred and upon such payment or tender, the said tax title holder shall reconvey the premises aforesaid to the owner thereof. The amount of such tender may be based upon an estimate prepared by the county clerk.

In preparing such estimate, the county clerk shall include, in addition to the amount of moneys herein provided for, the following fees to the tax title holder:

For preparing the affidavit of compliance with law, \$1.00.

For service of the notices provided by law, which must be served by holders of certificates of sale, to occupants, owners or parties interested in real estate sold for taxes, the sum of not to exceed \$3.00 for each lot, block, tract or piece of land, as listed, assessed and sold in one description.

For recording the tax deed, the actual cost of same, as ascertained from the recorder of deeds.

The county clerk shall be entitled to a fee of \$1.00 for preparing the estimate herein provided, and such estimate of the county clerk shall be *prima facie* evidence in all courts of the amount due said tax title holder.

Any tax title holder failing or refusing to reconvey said premises to the owner thereof on demand after payment or tender of the amounts due, as provided for in this section shall be fined a sum not less than fifty (\$50.00) dollars and not more than two hundred (\$200) dollars for each offense. One-half of said fine shall go to the said property owner and one-half to the county.

Upon affidavit or proof of tender being made, as hereinabove provided, and upon notice to the grantee in the tax deed or the last grantee of record under

such tax deed, by registered mail to his last known address, and if such address is not known and by reasonable effort cannot be ascertained, then by publication as provided in the chancery Act, the county court in the same proceeding wherein the sale upon which said deed issued may order the amount of said tender deposited with the county treasurer and that the sheriff or any master in chancery in said county may in the name of the holder of such title convey the premises to the owner thereof, and make conveyance of tax title.

Whenever the tax purchaser makes application to withdraw moneys deposited with the county treasurer he shall deliver to the county treasurer a conveyance of said tax title to the owner who made said deposit.

(7) Forfeited Property.

Sec. 345. SALE OF LANDS FORFEITED TO THE STATE.] Whenever the county judge, county clerk and county treasurer shall certify that the taxes on forfeited lands equal or exceed the actual value of such lands, the officer directed by law to expose for sale lands for delinquent taxes shall, on the receipt of such certificate, offer for sale to the highest bidder the tract or lands, in such certificate described, after first giving ten days' notice of the time and place of sale, together with a description of the tract or lands so to be offered. And a certificate of purchase shall be issued to the purchaser at such sale as in other cases in this Act provided; and the county collector shall receive credit in his settlement with the custodian of the several funds, for which such tax was levied for the amount not realized by such sale. And the amount received from any such sale shall be paid by such collector, *pro rata*, to the custodian of the several funds entitled thereto.

Sec. 346. REDEMPTION OR PURCHASE OF FORFEITED PROPERTY.] If any person shall desire to redeem or purchase any tract of land or lot forfeited to the State, he shall apply to the county clerk, who shall issue his order to the county collector, directing him to receive from said person the amount due on said tract or lot, (which shall in no case be less than twenty-five per cent on all taxes levied and forfeited, in addition to the tax, special assessments, interest and printers' fees due thereon), particularly describing the property and setting forth the

8 amount due; and upon presentation of said order to the county collector, he shall
 9 receive said amount and give the person duplicate receipts therefor, setting
 10 forth a description of the property and the amount received—one of which shall
 11 be countersigned by the county clerk, and when so countersigned, shall be evidence
 12 of the redemption or sale of the property therein described, as the case may be,
 13 but no such receipt shall be valid until it is countersigned by the county clerk.
 14 The other receipt shall be filed by the county clerk in his office, and said clerk
 15 shall make a proper entry of the redemption or sale of the property on the books
 16 in his office, and charge the amount of the redemption or sale money to the
 17 county collector. In cases of sales, the collector and clerk shall make the receipt
 18 in the form of a certificate of purchase. Property purchased under this section
 19 shall be subject to redemption, notice, etc., the same as if sold at regular public
 20 tax sale.

Sec 347. REPORT AND PAYMENT OF MONEY COLLECTED ON FORFEITED LANDS.]

2 It shall be the duty of the county clerk, annually, when he makes return of the
 3 amount of taxes levied, to report to the Auditor of Public Accounts the amount
 4 due the State on account of the redemption and sales of such forfeited property,
 5 and said Auditor shall charge the same to the collector. If the collector who
 6 received said redemption or sale money shall be succeeded in office, he shall pay
 7 the amount in his hands over to his successor, who shall pay said amount into
 8 the State treasury when he settles for the taxes of the current year.

Sec. 348. BACK TAX ADDED—EFFECT.] The amount due on lands and lots
 2 previously forfeited to the State, and remaining unpaid on the first day of
 3 November, shall be added to the tax of the current year; and the amount there-
 4 of shall be reported against the county collector with the amount of taxes for
 5 said year; and the amount so charged shall be placed on the tax books, collected
 6 and paid over in like manner as other taxes. The county collector is hereby
 7 authorized to advertise and sell said property in the manner hereinbefore re-
 8 quired by this Act as if said property had never been forfeited to the State;
 9 and the county, city, town or school district may, by their agent, attend such
 10 sale for taxes and buy said lands and acquire the same rights that individuals

11 now have under the law, and acquire, hold, sell and dispose of said title thereto
 12 the same as and in the same manner as individuals may do under the laws of this
 13 State, in case of sale for taxes. Said additions and sales shall be continued
 14 from year to year until the taxes on said property are paid, by sale or other-
 15 wise.

Sec. 349. SUIT FOR TAX ON FORFEITED AND PERSONAL PROPERTY.] The county
 2 board may, at any time, institute suit in an action of debt in the name of the
 3 People of the State of Illinois in any court of competent jurisdiction for the
 4 whole amount due on forfeited property; or any county, city, town, school dis-
 5 trict or other municipal corporation, to which any such tax may be due, may, at
 6 any time, institute suit in an action of debt in its own name, before any court
 7 of competent jurisdiction, for the amount of such tax due any such corporation
 8 on forfeited property, and prosecute the same to final judgment. The county
 9 board may also, at any time, institute suit in an action of debt in the name of
 10 the People of the State of Illinois, in any court of competent jurisdiction,
 11 against any person, firm or corporation for the recovery of any personal prop-
 12 erty tax due from such person, firm or corporation, and in any such suit for
 13 the recovery of personal property tax, the return of the county collector that such
 14 taxes are delinquent, shall be *prima facie* evidence that such taxes are due and
 15 unpaid, but the fact that such taxes are due and unpaid may be proven by
 16 other competent testimony. This Act shall apply to all taxes heretofore levied
 17 against any person, firm or corporation and now upon any assessment book or
 18 roll, and on the sale of any property following such judgment on execution or
 19 otherwise, any such county, city, town, school district or other municipal cor-
 20 poration interested in the collection of said tax, may become purchaser at such
 21 sale of either real or personal property, and if the property so sold is not re-
 22 deemed (in case of real estate) may acquire, hold, sell and dispose of the
 23 title thereto, the same as individuals may do under the laws of this State, and
 24 in any such suit or trial for forfeited taxes, the fact that real estate or per-
 25 sonal property is assessed to a person, firm or corporation, shall be *prima facie*
 26 evidence that such person, firm or corporation was the owner thereof, and

27 liable for the taxes for the year or years for which the assessment was made,
 28 and such fact may be proved by the introduction in evidence of the proper assess-
 29 ment book or roll, or other competent proof.

(e) *Double Payment of Taxes.*

Sec. 350. PAYMENT BY DIFFERENT CLAIMANTS—RETURN, ETC.] Whenever the
 2 taxes on the same property shall have been paid more than once, for the same
 3 year, by different claimants, the county collector shall make a return to the
 4 county clerk of all such surplus taxes so received by him, together with the
 5 names of the several claimants thus paying. The town or district collectors
 6 shall report cases of such kind that come to their notice to the county collector,
 7 and he to the county clerk. The county clerk shall make a full record of all such
 8 cases, and transmit a certified copy thereof to the Auditor of Public Accounts,
 9 who shall charge such collector with the portion of such surplus taxes belonging
 10 to the State. Certified copies of the county collector's return, or of record there-
 11 of, by the county clerk, or of the county clerk's report, by the Auditor, shall be
 12 *prima facie* evidence in all courts when the same shall come in question, of the
 13 payment of tax on the property therein described for the year or years therein
 14 mentioned.

Sec. 351. DOUBLE ASSESSMENT OR PAYMENT—REFUNDING.] If any real
 2 property shall be twice assessed for the same year, or assessed before it becomes
 3 taxable, and the taxes so erroneously assessed shall have been paid, either at sale
 4 or otherwise, or have been twice paid by different claimants, the county board,
 5 on application of the person paying the same, or his agent, being satisfied of the
 6 facts in the case, shall cause the State and county taxes to be refunded *pro rata*
 7 by the State and county; and the city and incorporated town or village taxes
 8 and special assessments, by the city or incorporated town, village or other
 9 proper authorities or persons. If any county, town or district collector shall
 10 receive the taxes or special assessments properly due on any real property, and
 11 the same shall afterwards be sold for said taxes or special assessments, he
 12 shall refund to the purchaser thereof, if application be made within three years

13 from the date of said sale, double the amount of purchase money and all ex-
 14 penses of advertising said real estate under this Act, requiring real estate pur-
 15 chased at tax sales to be advertised, including costs of deeds. Any collector
 16 neglecting or refusing to pay as required by this section shall be liable to
 17 the county, or person in interest, in an action of debt in any court having juris-
 18 diction.

ARTICLE 3.

ACCOUNTING BY COLLECTORS.

(a) *Town or District Collectors.*

Sec. 352. *THIRTY DAY SETTLEMENTS WITH CITIES, ETC.]* Town and district
 2 collectors shall, every thirty days, when required so to do by the proper authori-
 3 ties of incorporated towns, cities and villages, road and school districts, for
 4 which any tax is collected, render to said authorities a statement of the amount
 5 of tax collected for the same and at the same time pay over to such authorities
 6 the amount thereof to which such town, city, village or taxing district is en-
 7 titled.

Sec. 353. *THIRTY DAY SETTLEMENTS WITH COUNTY COLLECTOR.]* Such town
 2 and district collectors shall, every thirty days, render an account similar to that
 3 required to be made in section 352 of the taxes payable to the State treasury,
 4 and of the county taxes, to the county collector, and at the same time pay over
 5 the amount of such taxes to said county collector.

Sec. 354. *LOCAL TAXES TO BE PAID OVER, ETC.]* The said town and district
 2 collectors shall pay over the town, road, school and other local taxes, as may be
 3 directed in the warrant attached to the collector's book.

Sec. 355. *FINAL SETTLEMENT FOR LOCAL TAXES BEFORE RETURN.]* Each town
 2 and district collector shall make final settlement for the township, district,
 3 city, village and town taxes, charged in the tax books, at or before the time
 4 fixed in this Act for paying over and making final settlement for State and
 5 county taxes collected by them. In such settlements, said collectors shall be en-

6 titled to credit for the amount of their commissions on the amount collected,
 7 and for the amount uncollected on the tax books, as may be determined by the
 8 settlement with the county collector.

Sec. 356. DUPLICATE RECEIPTS.] The officer to whom any such moneys may
 2 be paid, under the preceding sections, shall deliver to the collector duplicate
 3 receipts therefor.

Sec. 357. RETURN TO THE COUNTY COLLECTOR IN GENERAL.] Town and dis-
 2 trict collectors shall return the tax books and make final settlement for the
 3 amount of taxes placed in their hands for collection, on or before the tenth day
 4 of March next after receiving the tax books: *Provided*, that the county col-
 5 lector may first notify in writing the several town or district collectors upon
 6 what day, within twenty days after the tenth day of March, they shall appear
 7 at his office to make final settlement, and at the time of making return to the
 8 county collector, each town or district collector in counties under township
 9 organization shall make out and deliver to the county collector a detailed state-
 10 ment, in writing, of the amount of taxes he has been unable to collect on real
 11 estate and from persons charged with personal property taxes, which state-
 12 ment shall show each kind of tax, the same as in the tax book delivered to him
 13 by the county clerk, and shall show the number of the page of the tax book
 14 and the number of the line of the page on which the item appears to be de-
 15 linquent, and in case where no taxes have been paid on any one page on the
 16 collector's book, the page footings of the taxes on such page may be copied
 17 into such statement. It shall not be necessary to give in the statement the
 18 description of the real property delinquent, nor the names of the owners thereof,
 19 nor the names of the persons delinquent for personal property taxes. The
 20 town or district collector shall add up the delinquent taxes in said statement
 21 and make a summary thereof, setting forth the aggregate amount of each kind
 22 of tax and the total delinquent, in the same manner as in his warrant, and shall
 23 make oath that said statement is true and correct.

Sec. 358. FORM OF RETURN AS TO PERSONAL TAX.] If any town or district collector shall be unable to collect any tax on personal property, charged in the tax book, by reason of the removal or insolvency of the person to whom said tax is charged, or on account of any error in the tax book, he shall, at the time of returning his book to the county collector, note, in writing, opposite the name of each person charged with such tax, the cause of failure to collect the same, and shall make oath that the cause of delinquency or error noted is true and correct, and that such sums remain due and unpaid, and that he has used due diligence to collect the same, which affidavit shall be entered upon said collector's book, and be signed by the town or district collector.

Sec. 359. CREDITS, ETC.] Upon the filing of said book, the county collector shall allow the town or district collector credit for the amount of taxes therein stated to be unpaid, and shall credit the same to the several funds for which said tax was charged. When the county collector makes settlement with the county board, such statements shall be sufficient voucher to entitle him to credit for the amount therein stated, less such amount thereof, if any, that may have been collected by him. In no case shall any town or district collector, or county collector, be entitled to abatements for personal property tax until the statement and affidavit are filed.

Sec. 360. FORM OF RETURN AS TO REAL ESTATE.] Each town or district collector, at the time of returning his tax book to the county collector, shall make affidavit, to be entered upon such book and subscribed by the collector, that the taxes charged against each tract or lot, or assessment of personal property remain due and unpaid at the date of making such affidavit in each case where there does not appear in the proper column the amount of such taxes as having been paid to such collector, and the date of payment and the name of any person as having paid the same; which affidavit shall be *prima facie* evidence of the facts therein stated.

Sec. 361. TO NOTE WHAT PERSONAL TAX CAN BE COLLECTED FROM REAL ESTATE.] Each town or district collector shall particularly note, in his returns to the coun-

ty collector, all cases of personal property tax that he was unable to collect,
which can be made from real estate of the persons owing such tax.

Sec. 362. SATISFACTION PIECE.] Upon the final settlement of the amount
of taxes directed to be collected by any collector, in any of the towns or dis-
tricts in this State, the county collector shall, if requested, give to such col-
lector, or any of his securities, a satisfaction piece in writing.

Sec. 363. SATISFACTION PIECE MAY BE RECORDED—EFFECT.] Such satisfaction
piece may be recorded in the recorder's office, and when so recorded shall
operate as a discharge of the securities and the lien upon the property of the
collector, except as to all suits commenced upon such bond within three years
after the recording of the same.

Sec. 364. EXTENSION OF TIME IN CASE OF APPOINTMENT TO FILL VACANCY.] In
case of appointments to fill vacancies in the offices of town or district collectors
as herein elsewhere provided, the chairman of the county board, or the super-
visor of the town, may extend the time for the collection of taxes, for a period
not exceeding twenty days, of which extension the county collector shall be noti-
fied.

(b) *County Collectors.*

(1) *Intermediate Settlements.*

Sec. 365. ACCOUNTS OF COUNTY COLLECTOR AND COUNTY TREASURER.] The
county collector shall, on the first day of every month, report to the county
clerk, in writing, the amount of county tax received by him during the preced-
ing month, showing what amount of said tax was received in money and what
amount in county orders and jury certificates. The county collector shall keep
his account as collector of taxes separate from his account as county treasurer.
He shall credit his account as collector with the amount of his monthly reports
to the county clerk, and with the amount of insolvencies, removals, errors, for-
feitures and other credits allowed him on settlement with the county board;
and as county treasurer he shall charge himself with the amount shown in his

11 monthly report to the county clerk, as aforesaid, and such other amounts as
12 may come into his hands as county treasurer; and he shall, as such treasurer,
13 at the close of each month, cancel the county orders and jury certificates in his
14 hands, and return the same with a descriptive list, giving numbers and amounts
15 properly footed, to the county clerk, who shall carefully compare and file the
16 same in his office, subject to the order of the county board, and give the treas-
17 urer a receipt for the same; which receipt shall be the evidence upon which the
18 county treasurer shall take credit in his accounts as such treasurer, with the
19 county, subject to the approval of the county board. The county board shall
20 examine such account and vouchers, at such time or times, by committee or other
21 wise, as may be deemed requisite.

Sec. 366. ACCOUNTS OF COUNTY CLERK WITH COUNTY COLLECTOR.] Each county
2 clerk shall keep an account with the county collector, charging him with the
3 amount of county tax placed in his hands for collection, and with
4 the county tax received by him from sales and redemptions of for-
5 feited property, and with any other funds belonging to the county,
6 that shall come into the collector's hands; and shall credit him with the amounts
7 ascertained as required in the preceding section, charged to the county treasurer's
8 account monthly; also, with the amount of county tax on insolvencies, removals,
9 errors, forfeited property, etc., whenever ascertained in the manner required
10 by this Act. The county clerks shall also keep a treasurer's account with the
11 county treasurer of their respective counties. The treasurer shall be charged
12 with the amount of money, county orders and jury certificates reported in the
13 collector's monthly statements required to be made in the preceding section, and
14 all amounts paid to the county treasurer from other sources than the county rev-
15 enue tax; and it is hereby made the duty of all persons paying money into the
16 county treasury, for all purposes except the county taxes, to first obtain from
17 the county clerk an order on the treasurer to receive the same; and the treasurer
18 shall give the person so paying duplicate receipts therefor, one of which shall
19 be countersigned by the county clerk, and retained by the person paying over the
20 amount, and the other filed in the county clerk's office, and the amount thereof

21 charged against the treasurer. The treasurer's account shall be credited, month-
 22 ly, with the amount of county orders and jury certificates canceled and filed in the
 23 county clerk's office, as required in the preceding section.

Sec. 367. COUNTY COLLECTOR'S APRIL STATEMENT TO CLERK.] On or before the
 2 tenth day of April, annually, after he has made settlement with town or district
 3 collectors, the county collector shall make a sworn statement, showing the total
 4 amounts of each kind of tax received by him from town or district collectors, and
 5 the total amount of each collected by himself—which statement shall be filed in
 6 the office of county clerk.

Sec. 368. CLERK TO NOTIFY AUDITOR, ETC., AMOUNT DUE THEM.] The clerk shall
 2 immediately, on the receipt of such statement, certify to the Auditor of Public
 3 Accounts and to other proper authorities or persons, the amount for which the
 4 collector is required to settle with them severally.

Sec. 369. APRIL PAYMENT TO STATE TREASURER.] The county collector shall,
 2 on or before the fifteenth day of April following, pay over to the State Treas-
 3 urer the taxes in his hands, payable to the State Treasury, as shown by the state-
 4 ment required by section 367 of this Act.

Sec. 370. APRIL PAYMENT TO LOCAL AUTHORITIES.] He shall, within the same,
 2 time pay over to the other proper authorities or persons, the amounts so shown
 3 to be in his hands, and payable to them.

Sec. 371. TO PAY CITIES, ETC., EVERY TEN DAYS.] The county collector shall
 2 report and pay over the amount of tax and special assessments due to towns,
 3 districts, cities, villages, corporations and persons, collected by him on delin-
 4 quent property, at least once in every ten days, when demanded by the proper
 5 authorities or persons.

(2) Final Settlements.

Sec. 372. FINAL SETTLEMENT OF COUNTY COLLECTOR—STATEMENT TO COUNTY
 2 CLERK.] On or before the third Monday in June, annually, the county collector

3 shall make out in duplicate a statement in writing, setting forth in detail the
4 names of persons charged with personal property tax which is uncollected, and
5 the reasons preventing such collection, the value of the property, and the amount
6 of tax, in each separate case, in a column provided in the list for that purpose;
7 and shall also, at the same time, make out in duplicate a statement setting forth
8 in detail the amount of taxes on real property which is uncollected, the names
9 of the persons in whose names such property was listed, and the reasons pre-
10 venting the collection of such taxes, giving in each case a description of the
11 property and the valuation and amount of the taxes and special assessments. He
12 shall, also, at the same time, make out in duplicate a statement of all taxes col-
13 lected during the year, which had been returned as delinquent in any previous
14 year, together with a description of the property upon which such taxes were
15 levied. He shall file one of each of such duplicate statements with the county
16 clerk and in counties of this State containing one hundred twenty-five thousand
17 (125,000) or more inhabitants, such collector shall file one of each such duplicate
18 statements with the county clerk and the other with the city comptroller if
19 there shall be any such officer in any of the cities within such counties. The
20 truth of the statements contained in such lists shall be verified by affidavit of
21 the county collector. County collectors, in cases of removals and insolvencies,
22 may give as the cause of inability to collect the same cause as sworn to by the
23 town or district collectors, stating in their return the fact that such was the
24 statement made by the town or district collector, and that such tax still remains
25 uncollected.

Sec. 373. CREDIT ON FORFEITED PROPERTY—PRINTER'S FEE.] If any lands or
2 lots shall be forfeited to the State for taxes or special assessments, the collec-
3 tor shall be entitled to a credit in his final settlement for the amount of the
4 several taxes and special assessments thereon—the county to allow the amount
5 of printer's fees thereon, and be entitled to said fees so allowed, when col-
6 lected.

Sec. 374. SETTLEMENT WITH COUNTY BOARD.] On the third Monday in June,
 2 annually, the county board shall settle with and allow the county collector
 3 credit for such allowance as he may be legally entitled to.

Sec. 375. WHEN COLLECTOR TO ACCOUNT WITH CLERK.] If there be no ses-
 2 sion of the county board held at the proper time for settling and adjusting the
 3 accounts of the county collector, it shall be the duty of the collector to file the
 4 lists with the county clerk, who shall examine said lists and correct the same,
 5 if necessary, in like manner as said board is required to do. Said county clerk
 6 shall make an accurate computation of the value of the property and the amount
 7 of the delinquent tax and special assessments returned, for which the collector
 8 is entitled to credit.

Sec. 376. EFFECT OF FAILURE OF COLLECTOR TO OBTAIN JUDGMENT.] The
 2 failure of any county collector to obtain judgment shall not prevent him from
 3 presenting his statement of credits, and making settlement for taxes and special
 4 assessments in his hands, at the time required by this Act; but if, from no fault
 5 of the collector, he fail to obtain judgment and sale of delinquent real estate at
 6 the time required by this Act, he shall be allowed, in his settlements, a tem-
 7 porary credit for the amount of taxes and special assessments in such delin-
 8 quent list, which delinquent taxes and special assessments shall be accounted
 9 for and paid immediately after sale is had.

Sec. 377. CLERK TO CERTIFY TO AUDITOR.] The county clerk shall immedi-
 2 ately, whether there be a session of the county board held at the proper time
 3 for settling and adjusting the accounts of the county collector, or not, certify
 4 to the Auditor of Public Accounts the valuation of property, and the amount
 5 of State taxes due thereon, for which the collector may be allowed credit.

Sec. 378. CLERK TO CERTIFY TO LOCAL AUTHORITIES, ETC.] The county clerk
 2 shall also, at the same time, certify to the several authorities or persons with
 3 whom the county collector is to make settlement, the valuation of property and

4 the amount of taxes and special assessments due thereon allowable to said col-
 5 lector in the settlement of their several accounts.

Sec. 379. CREDITS ON FINAL SETTLEMENTS—EXAMINATION OF ACCOUNTS, ETC.]

2 The Auditor of Public Accounts and other proper authorities or persons shall, in
 3 their final settlements with the collector, allow him credit for the amount so
 4 certified: *Provided*, that if the Auditor or such other proper authorities or
 5 persons shall have reason to believe that the amount stated in said certificate is
 6 not correct, or that the allowance was illegally made, he or they shall return
 7 the same for correction; and when the same shall appear to be necessary, in
 8 the opinion of the Auditor or such other proper authorities or persons, he or
 9 they shall designate and appoint some competent person to examine the collec-
 10 tor's books and settlement, and the person so designated and appointed shall
 11 have access to the collector's books and papers appertaining to such collector's
 12 office or settlement, for the purpose of making such examination.

Sec. 380. FINAL ORDER—CORRECTIONS, ETC.] In all cases when the adjust-

2 ment is made with the county clerk, the county board shall, at the first session
 3 thereafter, examine such settlement, and if found correct shall enter an order to
 4 that effect; but if any omission or error is found, said board shall cause the
 5 same to be corrected, and a correct statement of the facts in the case forwarded
 6 to the Auditor of Public Accounts and other proper authorities or persons, who
 7 shall correct and adjust the collector's accounts accordingly.

Sec. 381. MANNER OF MAKING SETTLEMENT.] The county clerk shall make out

2 and deliver to the county collector, as soon as adjustment is made with the
 3 county board or county clerk, annually, the statement, certificates and lists ap-
 4 pertaining to the settlement of the accounts of such collector; which statement,
 5 certificates and lists shall be made out in proper form, under his seal of office, on
 6 blanks which it is hereby made the duty of the Auditor of Public Accounts to
 7 furnish annually for that purpose. The collector shall deliver the same at the
 8 office of the Auditor, and make final settlement of his accounts, and pay the
 9 amount due the State in the State treasury on or before the first day of July

10 next after receiving the tax books and if any collector shall neglect or refuse to
 11 deliver said statement, certificates and lists or make final settlement and pay
 12 ment as above provided, the Auditor shall leave a written notice at the office of
 13 said collector, requiring him to appear before the county court of the county
 14 for which he is collector, at the next September term thereof, and show
 15 cause why he has not complied with said requirements of this Act; and if the
 16 collector shall not show that he has complied with said requirements, or that he
 17 he has a lawful excuse for failing to do so, his office as collector and treasurer
 18 shall be declared vacant by said court and the same filled as in other cases of va-
 19 cancy by reason of death or otherwise: *Provided*, that in all cases where the
 20 statement certificates and lists appertaining to the final settlement of a collector
 21 are on file with the Auditor, on or before the first day of July, the Auditor shall
 22 not charge interest on the balance found due on the account of such collector,
 23 for fifteen days after mailing said Auditor's statement showing balance due the
 24 State on such collector's account: *Provided, further*, that this section shall not be
 25 held to relieve any collector from the payment of interest charged on his account
 26 by reason of failure to make payment to the State, at other time or times, as re-
 27 quired by this or any other Act of the General Assembly of this State.

Sec. 382. DUPLICATE STATEMENT TO AUDITOR—CORRECTION.] The county clerk
 2 shall furnish a duplicate copy of said statement, duly certified, whenever request-
 3 ed so to do by the Auditor of Public Accounts.

4 If the statement of credits herein required, or any of the items therein, are
 5 objected to by the Auditor, he shall return the statement to the county clerk,
 6 stating his objections, and said clerk shall examine and correct or explain the
 7 same satisfactorily, and return the statement to said Auditor.

Sec. 383. OVERPAYMENT REFUNDED.] If any collector shall have paid, or
 2 may hereafter pay, into the State treasury, any greater sum or sums of money
 3 than are or may be legally and justly due from such collector, after deducting
 4 abatements and commissions, the Auditor shall issue his warrant for the amount

5 so overpaid, which shall be paid out of the fund or funds so overpaid on said
6 warrant.

Sec. 384. HOW PAID INTO TREASURY—DUPLICATE RECEIPT.] Upon ascertaining
2 the amount due to the State from any collector or other person, the Auditor of
3 Public Accounts shall give such person a statement of the amount to be paid, and
4 upon the presentation of such statement to the State Treasurer, and the pay-
5 ment of the sum stated to be due, the Treasurer shall give duplicate receipts there-
6 for, one of which shall be filed in the Auditor's office, and entered in a book to be
7 kept for that purpose, and the other shall be countersigned by the Auditor and de-
8 livered to the person making the payment; and no payment shall be considered
9 as having been made until the Treasurer's receipt shall be countersigned by the
10 Auditor as aforesaid.

Sec. 385. INTEREST ON MONEY DUE STATE.] Any collector failing to pay into
2 the State treasury the amount due to the State, on his account for State and
3 other taxes, at the time or times required by this Act, shall pay interest at the
4 rate of ten per cent per annum, from the time the same became due under
5 this Act, until the same is paid; and it shall be the duty of the Auditor of Pub-
6 lic Accounts to charge such interest to the account of every collector failing to
7 pay at the time or times required by this Act. In no case shall the Auditor be
8 permitted to remit such interest, unless satisfactory evidence from the county
9 board is presented to him, showing by official action taken by such board, lawful
10 cause why the collector could not pay over, in part or in whole, the amount due on
11 such collector's account with the State.

Sec. 386. AUDITOR'S CERTIFICATE OF SETTLEMENT—FILING SAME.] Upon the
2 final settlement of any account with the State, the Auditor of Public Accounts
3 shall give the collector duplicate certificates, under his seal of office, setting
4 forth that said collector has settled and paid into the State treasury the full
5 amount due from him on said account; and it shall be the duty of the collector
6 to file one of said certificates in the office of the county clerk on or before the
7 first day of August next after receiving the tax books. If any collector shall

neglect or refuse to file one of said certificates as above required, the county clerk shall leave a written notice at the office of said collector, requiring him to appear before the county court, at the next September term thereof, and show cause why he has not filed the certificate aforesaid; and if the collector shall not show that he has paid over the full amount due from him, and made a final settlement with the State and county, or that he has a lawful excuse for failing to do so, his office as collector and treasurer shall be declared vacant by said court and the same filled as in other cases of vacancy by reason of death or otherwise.

Sec. 387. NEGLECT TO OBTAIN JUDGMENT—FAILURE TO PRESENT LIST OF ABATEMENTS.] If any collector shall, by his own neglect, fail to obtain judgment at the May term of the county court, or shall fail to present his list of delinquencies on personal property, or errors in assessment of real estate, at the time required by this Act, he shall lose the benefit of any abatement to which he might have been entitled, and shall pay to the State and county the full amount charged against him, after deducting the fees allowed by this Act for collecting and paying over taxes. If the county court is not held at the May term, the collector shall have further time to pay over the amount due on the delinquent list.

(c) *Interest on Public Moneys.*

Sec. 388. DEPOSIT OF REVENUES BY COLLECTORS—STATEMENTS.] Town, district and county collectors shall deposit all public moneys collected by them, within five days after receiving the same, in such banks, in their respective towns, districts or counties, as the case may be, as in their opinion are secure and which shall pay the highest rate of interest for such deposit, subject, however, to the approval of the State Finance Commission. On failure to make such deposits within said time, said collectors shall be personally liable for such interest thereon as might have been obtained had the money been deposited as in this section provided.

Every town and district collector, at the time of making his thirty day settlement as provided by law, shall make a statement and file same with the county collector, showing the amount of public moneys collected by him, the

13 amount deposited in each bank, when deposited, and the interest payable there-
 14 on; and every county collector, at the time of making his monthly report as pro-
 15 vided by law, shall make a statement and file same with the Auditor of Public
 16 Accounts, showing the amount of public moneys received by himself and by the
 17 town and district collectors in his county, the amounts deposited in each bank,
 18 when deposited, and the interest payable thereon.

Sec. 389. INTEREST TO BE PAID BY COLLECTORS TO STATE TREASURER.] Town and
 2 district collectors, annually, at the time of making their final settlements with
 3 the county collector, shall pay over to the county collector, all interest on pub-
 4 lic moneys received by them and in their hands as above provided. Annually,
 5 at the time of making his final settlements for State taxes, each county col-
 6 lector shall pay over to the State Treasurer all interest on public moneys re-
 7 ceived by him and in his hands as above provided, together with the interest
 8 thus provided to be paid over to him by the town and district collectors.

Sec. 390. HOW PAID INTO TREASURY—DUPLICATE RECEIPTS.] For the purpose
 2 of enabling the county collector to make such payment into the State treasury,
 3 the Auditor of Public Accounts shall, upon application of the county collector,
 4 upon ascertaining the amount of interest due the State from such collector as
 5 above provided, give such collector a statement of the amount to be paid, and
 6 upon the presentation of such statement to the State Treasurer, and the pay-
 7 ment of the sum stated to be due, the State Treasurer shall give duplicate receipts
 8 therefor, one of which shall be filed in the Auditor's office, and entered in the
 9 book kept for the purpose of entering receipts as provided in section 384, and
 10 the other shall be countersigned by the Auditor and delivered to the persons
 11 making the payment; and no payment shall be considered as having been made
 12 until the Treasurer's receipt shall be countersigned by the Auditor as afore-
 13 said.

Sec. 391. ALL RECORDS OF DEPOSITS TO BE PUBLIC.] All records, entries and
 2 memoranda of any kind whatsoever, containing any information concerning the
 3 location, nature or amount of deposits of public moneys of any kind, whether

4 by any collector, county treasurer or by the State Treasurer, or concerning the
 5 amount of interest payable thereon; all deposit books containing memoranda or
 6 information of deposits of public moneys; and all check books, vouchers and
 7 stubs or other record containing any information whatsoever, concerning public
 8 moneys shall be and are hereby declared public records, notwithstanding such
 9 records, entries or memoranda appear in books, papers or documents contain-
 10 ing such deposit books, check books, vouchers and stub or other records, and also
 11 items of private business which would be disclosed by an inspection thereof.

(d) *Collectors Bonds and Proceedings Against Collectors.*

Sec. 392. LIABILITY ON BONDS.] The bond of every county, town or district
 2 collector shall be held to be security for the payment by such collector to the
 3 State Treasurer, county treasurer, and the several cities, towns and villages,
 4 and proper authorities and persons, respectively, of all taxes and special assess-
 5 ments which may be collected or received by him on their behalf, by virtue of any
 6 law in force at the time of giving such bond, or that may be passed or take ef-
 7 fect thereafter.

Sec. 393. SUIT ON BOND OF TOWN OR DISTRICT COLLECTOR BY COUNTY COL-
 2 LECTOR.] If the town or district collector shall fail to appear and make final
 3 settlement, or pay over the amount in his hands, when required in this Act,
 4 the county collector shall forthwith cause the bond of such collector to be put in
 5 suit, and recovery may be had thereon for the sum due, for all taxes and spe-
 6 cial assessments and twenty-five per cent thereon as damages, with costs of suit.

Sec. 394. FAILURE OF COUNTY COLLECTOR TO MAKE REPORT—SUIT.] If any
 2 county collector fails to make the reports and payments hereinbefore required,
 3 for five days after the time specified for that purpose, or after demand made as
 4 aforesaid, the Auditor of Public Accounts, or such other authorities or per-
 5 sons, may bring suit upon the collector's bond.

Sec. 395. FAILURE OF COUNTY COLLECTOR TO ACCOUNT AND PAY OVER.] If any
 2 county collector fails to account and pay over as required in this Act, his office
 3 may be declared vacant by the county board, or by any court in which suit is

4 brought on his official bond, and the same may be filled as in other cases of va-
5 cancy by reason of death or otherwise.

Sec. 396. SUIT BY AUDITOR.] Upon the failure of any collector to make set-
2 tlement with the Auditor of Public Accounts, or to pay money into the State
3 treasury, it shall be the duty of the Auditor to sue the collector and his sureties
4 upon the bond of such collector, or to sue the collector in such form as may be
5 necessary, and take all such proceedings, either upon such bond or otherwise,
6 as may be necessary to protect the interest of the State.

Sec. 397. JURISDICTION—POWER OF COURT.] When suit is instituted in be-
2 half of the State, it may be in the Supreme Court, or in the circuit court of
3 Sangamon County, or in any court of record in this State having jurisdiction
4 of the amount; and process may be directed to any county in the State. In any
5 proceeding against any officer or person whose duty it is to collect, receive,
6 settle for or pay over any of the revenues of the State, whether the proceeding
7 be by suit on the bond of such officer, or person or otherwise, the court in which
8 such proceeding is pending shall have power, in a summary way, to compel such
9 officer or person to exhibit, on oath, a full and fair statement of all moneys by
10 him collected or received, or which ought to be settled for or paid over, and to
11 disclose all such matters and things as may be necessary to a full understand-
12 ing of the case; and the court may, upon hearing, give judgment for such sum or
13 sums of money as such officer or person is liable in law or equity to pay. And
14 if, in a suit upon the bond of any such officer or person, he or his sureties, or
15 any of them, shall not for any reason be liable upon the bond, the court may,
16 nevertheless, give judgment against such officer or person and such of his sure-
17 ties as are liable, for the amount he or they may be liable to pay, without re-
18 gard to the form of the action or pleadings.

Sec. 398. PROCEEDINGS BY OTHERS IN SUIT ON BOND.] When suit has been in-
2 stituted by the Auditor of Public Accounts, any party aggrieved may proceed
3 under the judgment obtained, upon the bond, by writ of inquiry of damages, as
4 in other cases upon bonds.

Sec. 399. WHEN BOND SUED BY CITY, TOWN, ETC.] Cities, towns, villages or
 2 corporate authorities, or persons aggrieved, may prosecute suit against any col-
 3 lector or other officer collecting or receiving funds for their use, by suit upon
 4 the bond, in the name of the People of the State of Illinois, for their use, in any
 5 court of competent jurisdiction, whether the bond has been put in suit at the
 6 instance of the Auditor of Public Accounts or not; and in case of judgment
 7 thereon, the Auditor may, if he shall so elect, have a writ of inquiry of damages
 8 for any amount that may be due to the State treasury from such officer. Cities,
 9 towns, villages and other corporate authorities or person, shall have the same
 10 rights in any suits or proceedings in their behalf as is provided in case of suits
 11 by or in behalf of the State.

Sec. 400. FEES WHEN STATE SUES.] The State shall pay like fees as are or
 2 may be allowed by law in suits between individuals; and in all cases when the
 3 State is plaintiff, it shall advance and pay such fees in like manner as indi-
 4 viduals are required to advance and pay fees; and when the State becomes
 5 the purchaser of real property sold on execution, for any debt due the State,
 6 the officer selling such real estate shall be entitled to like commissions as he
 7 would have been entitled to had such property been purchased by an individual,
 8 said fees and commissions to be paid on the warrant of the Auditor of Public
 9 Accounts, out of any money in the treasury appropriated for that purpose; and
 10 when such fees are collected they shall be paid into the State treasury.

Sec. 401. NOTICE OF LEVY GIVEN AUDITOR.] When real estate shall be levied
 2 upon to satisfy any judgment in favor of the State, it shall be the duty of the
 3 officer making such levy to transmit by mail, to the Auditor of Public Accounts,
 4 at least twenty days before the day of sale, a correct statement, showing the
 5 description and value of the property levied upon, in cash; the truth of said
 6 statement shall be attested by the oath of said officer. Said officer shall, at the
 7 same time, furnish the Auditor with an abstract of title of the property levied
 8 upon, the expense thereof to be charged and collected as costs. And the Audi-
 9 tor is hereby authorized and required to purchase in his name, for the use of

10 the People of the State of Illinois, at a price not exceeding two-thirds of said
 11 value, so much of said property as may be required to pay the amount of the
 12 judgments and costs aforesaid; and it shall be the duty of the officer making
 13 such sale to forward to the Auditor a certificate of purchase, and make his re-
 14 turn, as required in other cases of sale on execution. Any person desiring to
 15 redeem all or part of said property from such sale, shall pay the amount of re-
 16 demption money into the State treasury, and thereupon the Auditor shall in-
 17 dorse such payment on the back of the certificate of purchase aforesaid, and
 18 deliver it to the person so paying, which shall have the same effect as redemp-
 19 tions have in other cases; but no real estate purchased as aforesaid shall be
 20 considered redeemed from such sale until the redemption money is paid into the
 21 State treasury. Such certificate may be recorded in the recorder's office of
 22 the county in which such real property is situated, and shall operate as a re-
 23 lease of record of such property.

Sec. 402. WHEN REAL PROPERTY PURCHASED BY THE STATE IS NOT REDEEMED—

2 TIMBER, ETC.] If any real estate, purchased by the State on execution, shall not
 3 be redeemed within the time required by law, it shall be the duty of the Auditor
 4 of Public Accounts to obtain a deed or deeds therefor, which he shall cause to
 5 be recorded in a book kept for that purpose in his office; and shall take such steps
 6 as he shall deem necessary to protect the timber or fixtures thereon from being
 7 lost or destroyed.

Sec. 403. PAYMENT OF MONEY COLLECTED.] All moneys received by any sher-

2 iff or other officer, on execution, in behalf of the State, shall be paid by such of-
 3 ficer to the State Treasurer or to the collector of his county, as may be directed
 4 by the Auditor of Public Accounts within twenty days after demand is made by
 5 said Auditor. Said demand may be made by any person authorized by the Audi-
 6 tor.

Sec. 404. AUDITOR MAY SELL PROPERTY BOUGHT IN BY STATE.] The Auditor

2 of Public Accounts is authorized to sell, transfer, and convey, by deed, any and
 3 all real estate that may have been heretofore, or may be hereafter purchased or

4 taken in payment, to satisfy any judgment or any execution in favor of the State,
 5 by this State or by any officer of this State, for the benefit and use of the State, to
 6 any person or persons who may pay into the State treasury the full amount paid
 7 by the State for said property, including costs and six per cent interest thereon,
 8 from the date of said sale to the time of such payment: *Provided*, that the sale of
 9 the real estate, in part or in whole, may be made at such price, not less than the
 10 price paid for such part or whole of the property, as the case may be, as the
 11 judge of the county court, chairman of the county board, and the sheriff of the
 12 county in which the estate is situated, shall certify the same to be worth; or, if
 13 not sold in one year from and after the expiration of the time of redemption
 14 now or hereafter allowed by law, said property may, if the Auditor thinks the
 15 valuation fair, be sold by said Auditor upon and for any valuation of said prop-
 16 erty which may be appraised and certified by the judge of the county court,
 17 chairman of the county board and sheriff of the county in which such property
 18 is situated.

TITLE V.

TAX ON GIFTS, LEGACIES AND INHERITANCES.

Sec. 405. IN WHAT CASES TAX IMPOSED—RATE OF TAX.] A tax shall be and is

2 hereby imposed upon the transfer of any property; real, personal or mixed, or of
 3 any interest therein or income therefrom, in trust or otherwise, to persons, in-
 4 stitutions or corporations, not hereinafter exempted, in the following cases:

5 1. When the transfer is by will or by the intestate laws of this State, from
 6 any person dying, seized or possessed of the property while a resident of this
 7 State.

8 2. When the transfer is by will or intestate laws of property within the
 9 State and the decedent was a non-resident of the State at the time of his death.

10 3. When the transfer is of property made by a resident, or by a non-resi-
 11 dent when such non-resident's property is within this State, by deed, grant, bar-
 12 gain, sale or gift, made in contemplation of the death of the grantor, vendor,
 13 or donor, or intended to take effect in possession or enjoyment at or after
 14 such death. When any such person, institution or corporation becomes bene-

15 ficially entitled in possession or expectancy to any property or the income there-
16 from, by any such transfer, whether made before or after the passage of this Act.

17 4. When any person, institution or corporation shall exercise a power of
18 appointment derived from any disposition of property made either before or
19 after the passage of this Act, such appointment, when made, shall be deemed a
20 taxable transfer under the provisions of this Act, in the same manner as though
21 the property to which such appointment relates belonged absolutely to the donee
22 of such power and had been bequeathed or devised by such donee by will;
23 and whenever any person or corporation possessing such a power of ap-
24 pointment so derived shall omit or fail to exercise the same within the time pro-
25 vided therefor, in whole or in part, a transfer taxable under the provisions of
26 this Act shall be deemed to take place to the extent of such omission or failure,
27 in the same manner as though the persons or corporations thereby becoming en-
28 titled to the possession or enjoyment of the property to which such power related
29 had succeeded thereto by a will of the donee of the power failing to exercise
30 such power, taking effect at the time of such omission or failure.

31 When the beneficial interests to any property or income therefrom shall pass
32 to or for the use of any father, mother, husband, wife, child, brother, sister,
33 wife or widow of the son, or the husband of the daughter, or any child or child-
34 ren adopted as such in conformity with the laws of the State of Illinois, or to
35 any person to whom the deceased, for not less than ten years prior to death, stood
36 in the acknowledged relation of a parent: *Provided, however,* such relationship
37 began at or before said person's fifteenth birthday and was continuous for said
38 ten years thereafter: *And, provided, also,* that the parents of such person so
39 standing in such relation shall be deceased when such relationship commenced,
40 or to any lineal descendant of such decedent born in lawful wedlock: In every
41 such case the rate of tax shall be two dollars (\$2.00) on every one hundred (\$100)
42 dollars of the clear market value of such property received by each person when
43 the amount received which is subject to inheritance tax, exceeds in amount
44 the sum of one hundred thousand (\$100,000) dollars and one dollar on each one
45 hundred (\$100) dollars of the clear market value of such property received by
46 each person when the amount received which is subject to inheritance tax is

47 one hundred thousand (\$100,000) dollars or less; and at and after the same
 48 rates, respectively, for every less amount: *Provided*, that any gift, legacy, in-
 49 heritance, transfer, appointment or interest which may be valued at a less sum
 50 than twenty thousand (\$20,000) dollars, shall not be subject to any such duty or
 51 tax, and the tax is to be levied in the above cases only upon the amount in excess
 52 of twenty thousand (\$20,000) dollars received by each person. When the bene-
 53 ficial interest to any property or income therefrom shall pass to or for the
 54 use of any uncle, aunt, niece or nephew or any lineal descendant of the same,
 55 in any such case the rate of such tax shall be four dollars on every one hundred
 56 (\$100) dollars of the clear market value of such property received by each person
 57 on the excess of two thousand (\$2,000) dollars so received by each person when
 58 the amount received in excess of two thousand (\$2,000) dollars exceeds the sum
 59 of twenty thousand (\$20,000) dollars; and two dollars on every one hundred
 60 (\$100) dollars of the clear market value of such property received by each per-
 61 son on the excess of two thousand (\$2,000) dollars so received by each person
 62 when the amount received in excess of two thousand (\$2,000) dollars is twenty
 63 thousand dollars (\$20,000) or less. In all other cases the rate shall be as fol-
 64 lows: On each and every one hundred (\$100) dollars of the clear market value
 65 of all property and at the same rate for any less amount; on all transfers of ten
 66 thousand (\$10,000) dollars and less, three dollars; on all transfers over ten thou-
 67 sand (\$10,000) dollars and not exceeding twenty thousand (\$20,000) dollars, four
 68 dollars; on all transfers over twenty thousand (\$20,000) dollars and not exceed-
 69 ing fifty thousand (\$50,000) dollars, five dollars; on all transfers over fifty thou-
 70 sand (\$50,000) dollars, and not exceeding one hundred thousand (\$100,000) dol-
 71 lars, six dollars; and on all transfers over one hundred thousand (\$100,000) dol-
 72 lars, ten dollars: *Provided*, that any gift, legacy, inheritance, transfer, appoint-
 73 ment or interest which may be valued at a less sum than five hundred (\$500)
 74 dollars shall not be subject to any duty or tax.

Sec. 406. LIFE ESTATE OR FOR A TERM OF YEARS—RULE AS TO TAXATION—BOND.]

2 When any property or interest therein or income therefrom shall pass or be
 3 limited for the life of another, or for a term of years, or to terminate on the ex-

4 piration of a certain period, the property of the decedent, so pass-
 5 ing shall be appraised immediately after the death of the decedent,
 6 and the value of the said life estate, term of years or period of
 7 limitation shall be fixed upon mortality tables using the interest rate
 8 or income rate of five per cent; and the value of the remainder
 9 in said property so limited shall be ascertained by deducting the
 10 value of the life estate, term of years or period of limitation from the fair mar-
 11 ket value of the property so limited, and the tax on the several estate or estates,
 12 remainder or remainders, or interest shall be immediately due and payable to the
 13 Revenue Commissioner, together with interest thereon, and said tax shall accrue
 14 as provided in section 413 of this Act, and remain a lien upon the entire property
 15 limited until paid: *Provided*, that if the person or persons, body politic or corpo-
 16 rate, beneficially interested in property chargeable with said tax, elect not to
 17 pay the same until they shall come into actual possession or enjoyment of such
 18 property, then in that case said person or persons, or body politic or corporate,
 19 shall give bond to the People of the State of Illinois in a penal sum three times
 20 the amount of the tax arising from such property, limited with such sureties as
 21 the Revenue Commissioner may approve, conditioned for the payment of said tax
 22 and interest thereon at such time or period as they or their representatives may
 23 come into the actual possession or enjoyment of said property; which bond shall
 24 be filed in the office of the Revenue Commissioner: *Provided, further*, that such
 25 person or persons, body politic or corporate, shall make a full verified return of
 26 said property to said Revenue Commissioner and file the same in his office within
 27 one year from the death of the decedent, with the bond and sureties as above
 28 provided; and, further, said person or persons, body politic or corporate shall
 29 renew said bond every five years after the date of the death of decedent.

Sec. 407. INTERESTS DEPENDENT UPON CONTINGENCIES—RATE OF TAX—REFUND

2 WHEN EXEMPTION—ESTATES IN EXPECTANCY—ESTATES FOR LIFE.] When property
 3 is transferred or limited in trust or otherwise, and the rights, interest or estates
 4 of the transferees or beneficiaries are dependent upon contingencies or condi-
 5 tions whereby they may be wholly or in part created, defeated, extended or

6 abridged, a tax shall be imposed upon said transfer at the highest rate which,
 7 on the happening of any of the said contingencies or conditions, would be pos-
 8 sible under the provisions of this title, and such tax so imposed shall be due and
 9 payable forthwith by the executors or trustees out of the property transferred:
 10 *Provided, however,* that on the happening of any contingency whereby the said
 11 property, or any part thereof is transferred to a person, corporation or institu-
 12 tion exempt from taxation under the provisions of the inheritance tax laws of this
 13 State, or to any person, corporation, or institution taxable at a rate less than the
 14 rate imposed and paid, such person, corporation or institution shall be entitled
 15 to a return of so much of the tax imposed and paid as is the difference between
 16 the amount paid and the amount which said person, corporation or institution
 17 should pay under the inheritance tax laws, with interest thereon at the rate of
 18 three per centum per annum from the time of payment. Such return of over
 19 payment shall be made in the manner provided for refunds under section 431.

20 Estates or interest in expectancy which are contingent or defeasible and in
 21 which proceedings for the determination of the tax have not been taken or where
 22 the taxation thereof has been held in abeyance, shall be appraised at their full,
 23 undiminished value when the persons entitled thereto shall come into the bene-
 24 ficial enjoyment or possession thereof, without diminution for or on account of
 25 any valuation theretofore made of the particular estates for the purposes of tax-
 26 ation, upon which said estates or interests in expectancy may have been limited.

27 Where an estate for life or for years can be divested by the act or omis-
 28 sion of the legatee or devisee it shall be taxed as if there was no possibility of
 29 such divesting.

Sec. 408. WHAT DEEMED TRANSFERS WITHIN THIS TITLE.] When property, or
 2 any interest therein or income therefrom, shall pass to or for the use of any
 3 person, institution or corporation by the death of another, by deed, instrument
 4 or memoranda, such passing shall be deemed a transfer within the meaning of this
 5 title, and taxable at the same rates, and be appraised in the same manner and
 6 subjected to the same duties and liabilities as any other form of transfer pro-
 7 vided in this title.

Sec. 409. EXEMPTIONS.] When the beneficial interest of any property or
 2 income therefrom shall pass to or for the use of any hospital, religious, edu-
 3 cational, Bible, missionary, tract, scientific, benevolent or charitable purpose,
 4 or to any trustee, bishop or minister of any church or religious denomination,
 5 held and used exclusively for the religious, educational or charitable uses and
 6 purposes of such church or religious denomination, institution or corporation,
 7 by grant, gift, bequest or otherwise, the same shall not be subject to any such duty
 8 or tax, but this provision shall not apply to any corporation which has the right
 9 to make dividends or distribute profits or assets among its members.

Sec. 410. HOW VALUE OF PROPERTY FIXED — PROCEEDINGS — APPEAL—DUTY OF
 2 REVENUE COMMISSIONER.] It shall be the duty of the Revenue Commissioner to
 3 ascertain whether any transfer of any property be subject to an inheritance
 4 tax under the provisions of this title, and if it be subject to such inheritance
 5 tax, to assess and fix the then cash value of all estates, annuities and life es-
 6 tates or terms for years growing out of said estates and the tax to which the
 7 same is liable. The Revenue Commissioner, upon the application of any inter-
 8 ested party, or upon his own motion as often as, or whenever occasion may re-
 9 quire, may hear evidence and determine the fair cash value of such estate and
 10 the amount of inheritance tax to which the same is liable. Notice shall, in
 11 each case, be given by mail to all persons known to have or claim an interest
 12 in such property, and to such persons as the Revenue Commissioner by order
 13 directs, of the time when and place where he will appraise such property. Per-
 14 sons of full age and *sui juris* may in writing, waive such notice, and consent to
 15 an immediate hearing by the Revenue Commissioner. In case an appeal is taken
 16 to the county court, it shall be the duty of the county clerk, within two days
 17 after such appeal shall have been perfected, to notify in writing the Revenue
 18 Commissioner. Within five days after judgment of the county court shall be
 19 entered on appeal, it shall be the duty of the county clerk to make and transmit
 20 a certified copy of such judgment to the Revenue Commissioner.

21 The Revenue Commissioner is hereby authorized and empowered to issue
 22 subpoenas for and to compel the attendance of witnesses before him, and to take
 23 the evidence of such witnesses under oath. Any person who shall be served with
 24 a subpoena to appear and testify or to produce books and papers, issued by
 25 the Revenue Commissioner, and who shall refuse or neglect to appear or to pro-
 26 duce books and papers relevant to such assessment, as commanded in such sub-
 27 poena, shall be deemed guilty of a misdemeanor, and shall, on conviction, be pun-
 28 ished by a fine of not less than ten dollars nor more than two hundred dollars
 29 for each offense. Any Circuit Court or judge thereof, either in term time or va-
 30 cation, upon application of the Revenue Commissioner, may, in its or his dis-
 31 cretion, compel the attendance of witnesses, the production of books and papers,
 32 and giving of testimony before such Revenue Commissioner, by attachment for
 33 contempt or otherwise in the same manner as the production of evidence may be
 34 compelled before said court. The Revenue Commissioner shall make a report
 35 thereof and of such value, in writing, with the depositions of the witnesses ex-
 36 amined and such other facts in relation thereto, and to said matters as may be
 37 deemed advisable. The order of the Revenue Commissioner assessing and fixing
 38 the inheritance tax, together with said report, shall be filed in the office of the
 39 Revenue Commissioner. It shall be the duty of the Revenue Commissioner,
 40 within five days after the filing of such order assessing and fixing the inheri-
 41 tance tax, to make and transmit a certified copy of such order to the State Treas-
 42 urer, and also, to give notice by mail to all parties known to be interested in such
 43 estate, substantially in such form as may be prescribed by the State Finance
 44 Commission.

45 Whenever the Revenue Commissioner shall find that an estate, or any inter-
 46 est therein, is not subject to the payment of the inheritance tax, he shall enter an
 47 order making a finding to that effect, and such order may be relied upon as con-
 48 clusive upon the question of such inheritance tax.

SEC. 411. ORDERS RELATIVE TO TAX OR NO TAX TO BE FILED IN OFFICE OF COUNTY

2 CLERK.] A certified copy of the order of the Revenue Commissioner assessing
 3 and fixing an inheritance tax, or, in the event of a finding that an estate or an

4 interest therein is not subject to the payment of the tax, then of the order mak-
5 ing the finding to that effect, shall be filed in the office of the county clerk of
6 the county in which the decedent was a resident at the time of his death, or in
7 case decedent was a non-resident of the State of Illinois at the time of his death,
8 in the office of the county clerk of the county in which the property, or some part
9 thereof, of such decedent was situated. It shall be the duty of such county clerk
10 to record such orders in a book to be kept for that purpose.

Sec. 412. APPEAL FROM ORDER OF REVENUE COMMISSIONER.] Any person or
2 persons interested in any property in this State which shall have been ap-
3 praised or assessed for inheritance tax by the Revenue Commissioner, dissatis-
4 fied with the appraisement or assessment or who shall deem the property or
5 interest thus appraised or assessed not subject to any tax under this title, may
6 appeal from the order of the Revenue Commissioner within sixty days after the
7 making and fixing of such order on paying or giving to the Revenue Commis-
8 sioner such security as the county court may approve, to pay all costs and
9 taxes that may be fixed by the court, by filing a petition in the county court of the
10 proper county to determine the correctness or validity of the appraisement or
11 assessment and to determine whether said property is subject to the tax herein
12 provided, in which petition the Revenue Commissioner and all persons known
13 to have or claim any interest in said property shall be made parties. The county
14 court may hear the said cause upon the relation of the parties and the testimony
15 of witnesses, and evidence produced in open court. If the court shall find said
16 property is not subject to any tax, as herein provided, the court shall, by order,
17 so determine. The court shall make such changes, if any, in the appraise-
18 ment or assessment, as it may determine, and if the court shall find said ap-
19 praisement or assessment invalid but the interest or property assessed liable to
20 inheritance tax, the court shall determine the proper appraisement or assess-
21 ment or both and the clerk shall forthwith certify such to the Revenue Commis-
22 sioner and such determination shall thereupon be acted upon by the Revenue
23 Commissioner in the same manner as if made by himself in the first instance.
24 An adjudication by the county court, as herein provided, shall be conclusive evi-

dence as to the lien of the tax herein provided upon said property, subject to appeal to the Supreme Court of the State by the Revenue Commissioner or Attorney General of the State in behalf of the People, or by any party having an interest in said property. The fees and costs in all cases arising under this section shall be the same as are now or may hereafter be allowed by law in cases at law in the county court.

Sec. 413. TAXES—WHEN PAYABLE—INTEREST—DISCOUNT—BOND.] All taxes imposed by this Act, unless otherwise herein provided for, shall be due and payable at the death of the decedent, and interest at the rate of six (6%) per cent per annum shall be charged and collected thereon for such time as said taxes are not paid: *Provided*, that if said tax is paid within six months from the accruing thereof, interest shall not be charged or collected thereon, but a discount of five (5%) per cent shall be allowed and deducted from said tax; and in all cases where the executors, administrators or trustees do not pay such tax within one year from the death of the decedent, they shall be required to give a bond in the form and to the effect prescribed in section 406 of this Act for the payment of said tax, together with interest.

Sec. 414. ADMINISTRATOR, EXECUTOR OF TRUSTEE TO DEDUCT.] Any administrator, executor or trustee having any charge or trust in legacies or property for distribution subject to the said tax shall deduct the tax therefrom, or if the legacy or property be not money he shall collect a tax thereon upon the appraised value thereof from the legatees or person entitled to such property, and he shall not deliver or be compelled to deliver any specific legacy or property subject to tax to any person until he shall have collected the tax thereon; and whenever any such legacy shall be charged upon or payable out of real estate the heir or devisee before paying the same shall deduct the tax therefrom, and pay the same to the administrator, executor or trustee, and the same shall remain a charge on such real estate until paid, and the payment thereof shall be enforced by the administrator, executor or trustee in the same manner that the said payment of said legacies might be enforced; if, however, such said legacy

14 be given in money to any person for a limited period, he shall retain the tax upon
 15 the whole amount, but if it be not in money he shall make application to the court
 16 having jurisdiction of his accounts, to make an apportionment, if the case re-
 17 quires it, of the sum to be paid into his hands by such legatees, and for such
 18 further order relative thereto as the case may require.

Sec. 415. PAYMENT TO REVENUE COMMISSIONER BY ADMINISTRATOR, EXECUTOR
 2 OR TRUSTEE—SEALED RECEIPT.] Every sum of money retained by an administra-
 3 tor, executor or trustee, or paid into his hands for any tax on any property, shall
 4 be paid by him within thirty days thereafter to the Revenue Commissioner, and
 5 the said Revenue Commissioner shall give, and every administrator, executor or
 6 trustee shall take, duplicate receipts from him of said payments, one of which
 7 receipts he shall immediately send to the State Treasurer, whose duty it shall
 8 be to charge the Revenue Commissioner with the amount thereof, and who shall
 9 seal said receipt with the seal of his office and countersign the same and return
 10 it to the administrator, executor or trustee, whereupon it shall be a proper
 11 voucher in the settlement of his accounts, but the administrator, executor or
 12 trustee shall not be entitled to credit in his accounts or be discharged from lia-
 13 bility for such tax unless he shall procure a receipt so sealed and countersigned
 14 by the State Treasurer or a copy thereof certified by him.

Sec. 416. RECEIPT.] Any person or body politic or corporate shall, upon
 2 the payment of the sum of fifty (\$.50) cents be entitled to a receipt from the
 3 Revenue Commissioner or the copy of the receipt at his option that may have
 4 been given by said Revenue Commissioner for the payment of any tax under this
 5 title, to be sealed with the seal of his office, which receipt shall designate on
 6 what real property, if any, of which any deceased may have died seized, said tax
 7 has been paid and by whom paid, and whether or not it is in full of said tax;
 8 and said receipt may be recorded in the clerk's office of the county in which
 9 the property may be situated, in a book to be kept by said clerk for such pur-
 10 pose.

Sec. 417. WHEN REAL ESTATE LIABLE TO TAX—INFORMATION TO REVENUE COM-
 2 MISSIONER.] Whenever any of the real estate of which any decedent may die
 3 seized shall pass to any body politic or corporate, or to any person or persons,
 4 or in trust for them, it shall be the duty of the administrator, executor or trus-
 5 tee of such decedent to give information thereof in writing to the Revenue Com-
 6 missioner, within six months after they undertake the execution of their ex-
 7 pected duties, or if the fact be not known to them within that period, then with-
 8 in one month after the same shall have come to their knowledge.

Sec. 418. LIEN OF THE COLLATERAL INHERITANCE TAX.] The lien of the col-
 2 lateral inheritance tax shall continue until the said tax is settled and satisfied:
 3 *Provided*, that said lien shall be limited to the property chargeable therewith:
 4 *And, provided, further*, that all inheritance taxes shall be sued for within five
 5 years after they are due and legally demandable, otherwise they shall be pre-
 6 sumed to be paid and cease to be a lien as against any purchaser of real estate.

Sec. 419. PERSONAL LIABILITIES OF DEVISEES, LEGATEES AND BENEFICIARIES.]
 2 All devisees, legatees, donees and beneficiaries, under the provisions of any
 3 will, deed or other instrument, and all persons, institutions or corporations, en-
 4 titled to vested interests, or in whom any contingent interests shall vest,
 5 which interests are subject to inheritance tax as provided by law, shall be person-
 6 ally liable for the payment of such taxes and interest to the extent of such interests
 7 received, and where proceedings for the collection of any such tax is had the
 8 person, institution or corporation on account of whose interest as above defined,
 9 an inheritance tax is assessed, shall, to the extent of such interest received, be
 10 personally liable for the expense, costs and fees of collection.

Sec. 420. POWERS AND LIABILITIES OF ADMINISTRATORS, EXECUTORS AND TRUS-
 2 TEES.] All administrators, executors and trustees shall be personally liable for
 3 the payment of taxes and interest, and where proceedings for collection of taxes
 4 assessed be had, said administrators, executors and trustees shall be personally
 5 liable for the expenses, costs and fees of collection. They shall have full power
 6 to sell so much of the property of the decedent as will enable them to pay said

7 tax, in the same manner as they may be enabled to do by law, for the payment
 8 of the duties of their testators and intestates, and the amount of said tax shall
 9 be paid as hereinafter directed.

Sec. 421. TRANSFER BY FOREIGN ADMINISTRATOR, EXECUTOR OR TRUSTEE OF
 2 STOCK OR OBLIGATIONS IN THIS STATE—TRANSFER OF SECURITIES, DEPOSITS OR OTHER
 3 ASSETS TO REPRESENTATIVES OR SURVIVORS OF DECEDENT—RIGHT OF STATE TREASURER
 4 AND REVENUE COMMISSIONER TO EXAMINE—PENALTY.] If a foreign administrator,
 5 executor or trustee shall assign or transfer any stock or obligations in this
 6 State standing in the name of a decedent, or in trust for a decedent, liable to
 7 any such tax, the tax shall be paid to the Revenue Commissioner on the trans-
 8 fer thereof. No safe deposit company, trust company, corporation, bank or
 9 other institution, person or persons having in possession or under control se-
 10 curities, deposits or other assets belonging to or standing in the name of a de-
 11 cedent who was a resident or non-resident, or belonging to, or standing in the
 12 joint names of such a decedent and one or more other persons, including the
 13 shares of the capital stock of, or other interests in, the safe deposit company,
 14 trust company, corporation, bank or other institution making the delivery or
 15 transfer herein provided, shall deliver or transfer the same to the executors,
 16 administrators or legal representatives of said decedent, or to the survivor or
 17 survivors when held in the joint names of a decedent and one or more other
 18 persons, or upon their order or request, unless notice of the time and place of
 19 such intended delivery or transfer be served upon the State Treasurer and
 20 Revenue Commissioner at least ten (10) days prior to said delivery or trans-
 21 fer; nor shall any such safe deposit company, trust company, corporation, bank
 22 or other institution, person or persons deliver or transfer any securities, de-
 23 posits or other assets belonging to or standing in the name of a decedent, or
 24 belonging to or standing in the joint names of a decedent and one or more
 25 other persons, including the shares of the capital stock of, or other interest in,
 26 the safe deposit company, trust company, corporation, bank or other institu-
 27 tion making the delivery or transfer, without retaining a sufficient portion or
 28 amount thereof to pay any tax or interest which may thereafter be assessed on

29 account of the delivery or transfer of such securities, deposits or other assets,
 30 including the shares of capital stock of, or other interests in, the safe deposit
 31 company, trust company, corporation, bank or other institution making the de-
 32 livery or transfer under the provisions of this title, unless the State Treasurer
 33 and Revenue Commissioner consent thereto in writing. And it shall be lawful
 34 for the State Treasurer, together with the Revenue Commissioner, personally
 35 or by representatives, to examine said securities, deposits or assets at the time
 36 of such delivery or transfer. Failure to serve such notice or failure to allow
 37 such examination, or failure to retain a sufficient portion or amount to pay
 38 such tax and interest as herein provided shall render said safe deposit com-
 39 pany, trust company, corporation, bank or other institution, person or persons
 40 liable to the payment of the amount of the tax and interest due or thereafter to
 41 become due, upon said securities, deposits or other assets, including the shares
 42 of the capital stock of, or other interest in, the safe deposit company, trust com-
 43 pany, corporation, bank or other institution making the delivery or transfer,
 44 and in addition thereto, a penalty of one thousand (\$1,000) dollars; and the pay-
 45 ment of such tax and interest thereon or of the penalty above prescribed, or
 46 both, may be enforced in an action brought by the State Treasurer or Revenue
 47 Commissioner in any court of competent jurisdiction.

Sec. 422. PROCEEDINGS WHEN TAX HAS NOT BEEN PAID—DUTY OF ATTORNEY
 2 GENERAL.] If it shall appear to the Revenue Commissioner that any tax accru-
 3 ing under this title has not been paid according to law, he shall make applica-
 4 tion to the Attorney General to institute and prosecute suits and proceedings
 5 as provided by law, to secure the collection of such tax. On application of the
 6 Revenue Commissioner, it shall be the duty of the Attorney General to institute
 7 and prosecute such suits and proceedings as may be necessary and proper to
 8 secure the assessment and collection of the inheritance tax provided in this title,
 9 appearing therein for such purposes; and it shall be the duty of the several
 10 State's attorneys to render assistance therein when requested by the Attorney
 11 General so to do. Whenever it appears that any tax is due and unpaid under

12 this title, and the persons, institutions or corporations liable for said tax have
 13 refused or neglected to pay the same, it shall be the duty of the Attorney
 14 General, on application of the Revenue Commisisoner, to prosecute the collection
 15 of the same by a bill in chancery, filed in the name of the People of the State
 16 of Illinois, to enforce the lien of the inheritance tax, or, if there be grounds for
 17 the same, to secure an injunction against the transfer and delivery or other
 18 disposition of property subject to the lien for the payment of the inheritance
 19 tax, and the county courts are invested with full jurisdiction to hear and deter-
 20 mine such suits. The process, practice and proceedings shall be the same
 21 as in cases in chancery, except that the answer of the defendant need not be
 22 under oath.

23 In addition to the remedy hereinabove provided, an inheritance tax due
 24 and unpaid may be recovered in an action of assumpsit brought by the Attorney
 25 General, in the name of the People of the State of Illinois, against any person
 25 liable for such tax and the Attorney General is hereby authorized to bring such
 27 action in any court having jurisdiction.

Sec. 423. JURISDICTION OF COUNTY COURT.] The county court in the county
 2 in which is situated the property of a decedent who was not a resident of the
 3 State, or in the county of which the deceased was a resident at the time of his
 4 death, shall have jurisdiction to hear and determine all questions in relation
 5 to the tax arising under the provisions of this title, and the county court first
 6 acquiring jurisdiction hereunder shall retain the same to the exclusion of every
 7 other.

Sec. 424. WHEN INFANT INTERESTED, JUDGE TO APPOINT SPECIAL GUARDIAN.] If
 2 it appears at any stage of an inheritance tax proceeding that any person
 3 known to be interested therein is an infant or person under disability, the pro-
 4 bate judge may appoint a special guardian of such infant or person under dis-
 5 ability.

Sec. 425. CERTIFIED COPIES MATERIAL IN THE APPRAISEMENT FURNISHED BY CLERK
 2 FEES.] On the written request of the Revenue Commissioner, the clerk of the

3 county court and in counties having a probate court, the clerk of the probate
 4 court and the recorder of deeds in the county wherein an appraisement has been
 5 initiated, shall furnish certified copies of all papers within their care or cus-
 6 tody, or records material in the particular appraisement, and the said clerk or
 7 recorder shall receive the same fee or compensation for such certified copies as
 8 they would be entitled by law in other cases, which shall be paid to them by
 9 the Revenue Commissioner, out of moneys appropriated for that purpose.

Sec. 426. CLERK'S FEES.] The clerk of the county court shall be entitled,
 2 in all suits brought for the collection of delinquent inheritance tax, and
 3 all contested inheritance tax cases appealed from the Revenue Commissioner to
 4 the county court, and in all appeals from the county court to the Supreme Court,
 5 the same fees as are now, or which may hereafter be allowed by law in suits at
 6 law, or in the matter of appeals at law, to or from the county court, which fees
 7 shall be taxed as costs and paid as in other cases at law; and in all cases aris-
 8 ing under this Act, including the furnishing of certified copies of documents or
 9 records in his office, for which no specific fees are provided, the clerk of the
 10 county court shall charge against and collect from the persons applying for, or
 11 entitled to such services, or certified copies, the same fees as are now, or which
 12 may hereafter be allowed for similar services or certified copies in said court,
 13 and for recording inheritance tax receipts required to be recorded in his office,
 14 he shall receive the same fees which now are or hereafter may be allowed by law
 15 to the recorder of deeds for recording similar instruments.

Sec. 427. REVENUE COMMISSIONER TAKING FEE OR REWARD—PENALTY.] Any
 2 Revenue Commissioner or any deputy or assistant who shall take any fee or
 3 reward from any administrator, executor, trustee, legatee, next of kin or heir
 4 of any decedent, or from any other person or the representative of any person
 5 liable to pay said tax or any portion thereof, shall be guilty of a misdemeanor,
 6 and upon conviction in any court having jurisdiction of misdemeanors, he shall
 7 be fined not less than two hundred and fifty (\$250) dollars nor more than five

8 hundred (\$500) dollars and imprisoned not exceeding ninety days; and in addi-
 9 tion thereto, shall be dismissed from such service.

Sec. 428. COLLECTIONS AND STATEMENTS.] The Revenue Commissioner shall
 2 collect all taxes that may be due and payable under this title. On the first Mon-
 3 day of each month he shall make a statement under oath to the Auditor of Pub-
 4 lic Accounts of all such collections, stating for what estate and for what interest
 5 paid, and in such form and containing such particulars as the State Finance
 6 Commission may prescribe; at the same time he shall make and transmit to the
 7 Auditor a statement of the inheritance tax due and unpaid.

Sec. 429. PAYMENTS TO STATE TREASURER—HOW MADE.] Upon ascertaining
 2 the amount due from the Revenue Commissioner on account of inheritance tax col-
 3 lections and payable by him to the State Treasurer, in any month, the Auditor of
 4 Public Accounts shall give to the Revenue Commissioner a statement of the
 5 amount to be paid. On or before the tenth (10th) day of each month, the Rev-
 6 enue Commissioner shall present to the State Treasurer, such statement of pay-
 7 ments due on account of collections and receipts of taxes during the preceding
 8 month and shall pay over to him the moneys so stated to be due. The State
 9 Treasurer shall thereupon give him duplicate receipts therefor, one of which
 10 shall be filed in the Auditor's office and entered in a book to be kept for that
 11 purpose, and the other shall be countersigned by the Auditor and delivered to
 12 the Revenue Commissioner. No payment shall be considered as having been
 13 made until the Treasurer's receipt shall have been countersigned by the Audi-
 14 tor as aforesaid.

15 On all inheritance taxes collected by the Revenue Commissioner and not paid
 16 to the State Treasurer by the tenth (10th) day of the month in which the state-
 17 ment provided in section 428 is due, the Revenue Commissioner shall pay inter-
 18 est at the rate of ten (10%) per cent per annum.

Sec. 430. BOOKS TO BE KEPT BY THE REVENUE COMMISSIONER.] The Revenue
 2 Commissioner shall keep books, in which he shall enter the returns made in ap-
 3 praisements, the cash value of annuities, life estates and terms of years and

4 other property fixed by him or by the county court on appeal, and the tax as-
 5 sessed thereon and the amounts of any payments thereof; which books shall
 6 be kept as a public record.

Sec. 431. WHEN PORTION OF TAX REPAID TO LEGATEE—REFUND OF A PORTION OF

2 THE LEGACY.] Whenever debts shall be proved against the estate of the decedent
 3 after distribution of legacies from which the inheritance tax has been deducted
 4 in compliance with this title, and the legatee is required to refund any portion
 5 of the legacy, a proportion of the said tax shall be repaid to him by the admin-
 6 istrator or executor if the said tax has not been paid to the Revenue Commis-
 7 sioner, or by the Revenue Commissioner if it has been paid: *Provided*, that if
 8 said tax has been paid into the State treasury, repayment thereof shall be made
 9 by the State Treasurer out of any appropriation for that purpose, upon proper
 10 warrant of the Auditor of Public Accounts, on voucher of the Revenue Commis-
 11 sioner.

Sec. 432. WHEN TAX PAID ERRONEOUSLY.] When any amount of said tax

2 shall have been paid erroneously to the State Treasurer, it shall be lawful for
 3 him on satisfactory proof rendered to him by the Revenue Commissioner of said
 4 erroneous payments to refund and pay to the administrator, executor or trus-
 5 tee, person or persons who have paid any such tax in error the amount of such
 6 tax so paid, out of any appropriation made for that purpose: *Provided*, that all
 7 applications for the repayment of said tax shall be made within two years from
 8 the date of said payment.

Sec. 433. COMPOSITION BY REVENUE COMMISSIONER WITH TRUSTEES OF ESTATES

2 IN CERTAIN CASES.] The Revenue Commissioner, by and with the consent of the
 3 State Finance Commission, expressed in writing, is hereby empowered and au-
 4 thorized to enter into an agreement with the trustees of any estate in which re-
 5 mainders or expectant estates have been of such a nature, or so disposed and
 6 circumstanced that the taxes therein were held not presently payable, or where
 7 the interests of the legatees or devisees were not ascertainable under the Act to
 8 tax gifts, legacies, and inheritances, etc., in force July 1, 1885, and amendments

9 thereto; and to compound such taxes upon such terms as may be deemed equit-
 10 able and expedient; and to grant discharge to said trustees upon the payment
 11 of taxes provided for in such composition: *Provided, however,* that no such
 12 composition shall be conclusive, in favor of said trustees as against the interest
 13 of such *cestuis que trustent* as may possess either present rights of enjoyment,
 14 or fixed, absolute or indefeasible rights of future enjoyment, or of such as would
 15 possess such rights in the event of immediate termination of particular estates,
 16 unless they consent thereto, either personally, when competent or by guardian.
 17 Composition or settlement made or effected under the provisions of this section
 18 shall be executed in quadruplicate, and one copy filed in the office of the State
 19 Treasurer, one copy in the office of the Auditor of Public Accounts, one copy in
 20 the office of the Revenue Commissioner and one copy delivered to the adminis-
 21 trators, executors or trustees who shall be parties thereto.

Sec. 434. ASSISTANTS—SALARY—DUTIES.] The Revenue Commissioner may
 2 designate in any district, assistants to the deputy revenue commissioner of
 3 such district, and may employ assistants in his office at a salary to be deter-
 4 mined by the Revenue Commissioner, all subject to the approval of the State
 5 Finance Commission as to the number of assistants and salary. Such salary
 6 shall be payable out of appropriations for that purpose.

7 Such assistants shall perform such duties and services in connection with
 8 the work of the inheritance tax appraisal, assessment and collection as the
 9 Revenue Commissioner or the respective deputy commissioners may prescribe.

TITLE VI.

PAYMENT OF PUBLIC MONEY INTO THE STATE TREASURY.

Sec. 435. MONEYS FROM FEES, FINES, ETC., TO BE PAID INTO STATE TREASURY.] The
 2 Secretary of State, the Auditor of Public Accounts, the Superintendent of Public
 3 Instruction, the Adjutant General, the Insurance Department of the State of Illi-
 4 nois, the Board of Administration, the Charities Commission, the Board of Com-
 5 missioners for the Management of the State library, the Illinois Stallion Regis-
 6 tration Board, the Board of Live Stock Commissioners, the Board of Veterinary

7 Examiners, the State Public Utilities Commission, the Chief Inspector of Grain,
 8 all deputy inspectors of grain, warehouse registrars and their assistants, all
 9 State weighmasters, the State commissioners of labor, the chief inspector of pri-
 10 vate employment agencies, the State Board of Examiners of Architects, the Board
 11 of Examiners of Barbers, the Game and Fish Conservation Commission, the
 12 State Board of Health, the State Board of Pharmacy, the Illinois State Board of
 13 Dental Examiners, the Miners' Examining Board, the State Board of Examin-
 14 ers of Registered Nurses, the State Entomologist, the State Fire Marshal, the
 15 State Food Commissioner and all like executive and administrative boards, com-
 16 missions, commissioners, departments and institutions of the State government
 17 herein named, are hereby declared to be officers, arms, agencies and departments
 18 of the State government, and all moneys received by each of such officers, boards,
 19 commissions, commissioners, departments or institutions, for or on behalf of the
 20 State, from fees, fines, penalties, forfeitures, rentals, the sales of property, or
 21 from other like sources, shall be paid into the State treasury, and no such officer,
 22 board, commission, commissioner, department or institution shall expend any
 23 money so received, for salaries, expenses or for any other purpose, except upon
 24 the warrant of the Auditor of Public Accounts based upon appropriations from
 25 the State treasury made biennially by the General Assembly.

Sec. 436. DETAILED ITEMIZED ACCOUNTS—QUARTERLY STATEMENT OF RECEIPTS

2 AND PAYMENTS INTO STATE TREASURY.] It shall be the duty of every officer, board,
 3 commission, commissioner, department or institution within the provisions of the
 4 preceding section, to keep, in proper books, a detailed itemized account of all
 5 moneys received as aforesaid, and from what source, or sources, received. Every
 6 such officer, board, commission, commissioner, department or institution receiving
 7 money as aforesaid, shall, on or before the second Wednesday of January, April,
 8 July and October of each year, file in the office of the Auditor of Public Ac-
 9 counts, a detailed statement of such receipts, verified by the oath, or affirmation
 10 of such officer, or by the oath, or affirmation of some officer or employe of the
 11 board, commission, commissioner, department or institution making and filing
 12 such statement, and shall, on such date, pay into the State treasury, all moneys

13 so received during the three calendar months next preceding. All moneys so
 14 paid into the State treasury shall, unless required by some statute to be held in
 15 the State treasury in a separate or special fund, be covered into the general rev-
 16 enue fund in the State treasury.

Sec. 437. AUDITOR TO EXAMINE AND AUDIT BOOKS, ETC.—MONEY ON HAND—
 2 WHEN ACT TAKES EFFECT TO BE PAID INTO STATE TREASURY WITHIN THIRTY DAYS.] It
 3 shall be the duty of the Auditor of Public Accounts, annually, and he shall have
 4 power at other times to examine and audit the books, documents, memoranda, pa-
 5 pers, records and files of every officer, board, commission, commissioner, depart-
 6 ment or institution receiving money as aforesaid to ascertain the amount of money
 7 in the possession, custody or control, or subject to the order, of any such officer,
 8 board, commission, commissioner, department or institution. All moneys aris-
 9 ing from the sources aforesaid, and in the possession, custody or control, or
 10 subject to the order, of any such officer, board, commissioner, commission, de-
 11 partment or institution, shall, within thirty days after the same is received, be
 12 paid into the State treasury.

Sec. 438. RIGHT OF AUDITOR TO EXAMINE BOOKS, ETC.] The Auditor of Public
 2 Accounts shall, at all times, have the right to examine all the books, documents,
 3 memoranda, files, papers and records of any officer, board, commission, commis-
 4 sioner, department or institution receiving money as provided in section 435,
 5 to verify the accuracy of the account required to be kept by section 436 of this
 6 Act.

Sec. 439. PENALTY.] Any officer named in section 435, or any officer, em-
 2 ploye or servant of any board, commission, commissioner, department or insti-
 3 tution, receiving money as provided in said section, who shall willfully fail or
 4 neglect to keep a detailed itemized account of all moneys received, as required
 5 by sections 435 and 436 of this Act, or who shall make a false or fraudulent entry
 6 of the same, or who shall refuse to permit the Auditor of Public Accounts to
 7 have free and unrestricted access to the books, documents, memoranda, papers,
 8 files, and records in his custody or possession, or who shall willfully fail, neglect

9 or refuse to file with the Auditor of Public Accounts the statement required by
 10 section 436 of this Act, shall be guilty of a misdemeanor and, on conviction,
 11 shall be punished by a fine in any sum not exceeding one thousand (\$1,000)
 12 dollars, or by imprisonment in the county jail not exceeding one year, or by both
 13 such fine and imprisonment, in the discretion of the court.

Sec. 440. AUDITOR OF PUBLIC ACCOUNTS TO PREPARE FORMS.] The Auditor of
 2 Public Accounts shall prepare blank forms for all licenses and registration cer-
 3 tificates provided by law to be issued by any State officer, board or commis-
 4 sion. Such forms shall be numbered consecutively, countersigned and distribu-
 5 ted by the Auditor to the appropriate officer, board or commission; and no such of-
 6 ficer, board or commission shall hereafter issue any license or registration cer-
 7 tificate except on the blank forms furnished by the Auditor.

TITLE VII.

CLAIMS AGAINST THE STATE.

Sec. 441. SESSIONS OF STATE FINANCE COMMISSION TO HEAR CLAIMS—WHAT
 2 CLAIMS TO BE HEARD AND DETERMINED—RULES.] On the first Monday of October,
 3 A. D. 1917, and every year thereafter, the State Finance Commission shall
 4 hold a session in its rooms at the Capitol of the State for the hearing and de-
 5 termination of the following matters:

6 *First*—All unadjusted claims founded upon any law of the State or upon
 7 any contract, express or implied, with the government of the State, and all
 8 claims which may be referred to it by either House of the General Assembly.

9 *Second*—All claims against the State for the taking or damaging of private
 10 property by the State for public purposes in the construction or for the use of
 11 any State institution, river, canal, or other public improvement, which have
 12 not been already barred by any statute or law of limitations, or heretofore heard
 13 and determined by the court of claims or the commission it succeeded.

14 *Third*—All unadjusted and controverted claims against the board of trus-
 15 tees, or board of directors of any of the public educational, charitable, penal or
 16 reformatory institutions of the State, canal commissioners, commissioners for

17 the construction of the State Capitol Building, State Board of Education, the
 18 military power of the State when called into action for the preservation of the
 19 public peace or order, or for instruction in camp, arising out of any contract,
 20 expressed or implied, or in tort, or for any damages, whether liquidated or un-
 21 liquidated, or any other claims or demand whatsoever.

22 *Fourth*—All other unadjusted claims of whatsoever nature or character
 23 against the State of Illinois.

24 *Fifth*—All setoffs, counter-claims, claims for damages, whether liquidated or
 25 unliquidated, or other demands whatsoever on the part of the State of Illinois,
 26 or any board of trustees, directors or commissioners, or military authority
 27 against whom any such claim shall have been presented to this commission or the
 28 court of claims it succeeded. And this commission shall hear such claims ac-
 29 cording to its rules and established practice and determine the same according
 30 to the principles of equity and justice, except as otherwise provided in the laws
 31 of this State and shall file with the records of each claim determined a brief
 32 written statement of the reason of the determination, and in case it shall allow
 33 all or any part of such claim, it shall make an award in favor of the claimant,
 34 finding the amount due to each claimant, which said award, shall be filed and
 35 recorded in the office of the Auditor of Public Accounts in a book to be kept by
 36 him for that purpose.

37 Such session of the commission shall continue until the business before the
 38 commission for the purpose thereof, shall be disposed. The State Comptroller
 39 shall preside at such session. The commission shall have power to make such
 40 rules, not inconsistent or contrary to law, for the government of proceedings
 41 before it for the purpose of such session, as it may deem proper, and shall have
 42 the same power to enforce such rules, and preserve order and decorum in its
 43 presence, as is vested by common law or statute of this State in any court of
 44 general jurisdiction.

Sec. 442: STATE FINANCE COMMISSION TO SUCCEED THE COURT OF CLAIMS.] Upon
 2 the qualification of its members and the organization thereof as in this Act pro-
 3 vided, the State Finance Commission shall become the successor to the present

4 Court of Claims and to the Commission of Claims which said Court of Claims
 5 superseded, and thereupon all the power and authority vested in or conferred
 6 upon said Court of Claims or said Commission of Claims, and all duties imposed
 7 upon them or any of the members thereof, shall devolve upon and thenceforth
 8 be exercised and performed by the State Finance Commission and the Court of
 9 Claims shall cease and determine. All proceedings, hearings or other mat-
 10 ters then pending before said Court of Claims shall be continued, carried on
 11 and completed by and before the State Finance Commission, as if originally
 12 filed and commenced before it. All books, records, papers, documents and mem-
 13 oranda, and all office equipment, materials and supplies in the official custody or
 14 possession of said Court of Claims upon its cessation and determination as
 15 above provided, shall be transferred to the State Finance Commission as its suc-
 16 cessor for all purposes, and said Commission shall thenceforth have official pos-
 17 session and custody of the same.

Sec. 443. AUDITOR EX-OFFICIO CLERK.] The Auditor of Public Accounts
 2 shall be *ex officio* clerk of the commission in the matter of hearing and determin-
 3 ing said claims and shall be custodian of all records, books, files and paper be-
 4 longing or appertaining to said commission in that capacity.

Sec. 444. CLAIMS—FILING STATEMENT—HEARING.] All persons having any
 2 such claims against this State shall file the same with the Auditor of Public
 3 Accounts on or before the first day of May next preceding the day fixed by
 4 this Act for the session of the commission for the purpose of hearing and de-
 5 termining said claims and shall file with such claim a statement in writing, under
 6 oath, of the fact upon which such claim is based, setting forth the time when
 7 and the place where the same accrued and if any such claim accrued by virtue
 8 of a contract, a copy of such contract, and the name and present address, known,
 9 of the officer or agent with whom such contract was made, and in all cases the
 10 amount of such claim, and all other facts necessary to a full understanding of
 11 such claim; and upon the filing of the same as aforesaid it shall be the duty of
 12 the Auditor of Public Accounts immediately to notify the Attorney General

13 thereof, and it shall be his duty to represent the State in all such claims. All
 14 evidence in support of or against such claims shall be taken in writing in the
 15 same manner in which depositions in chancery are usually taken, and all evidence
 16 for claimant shall be filed with the Auditor of Public Accounts on or before the
 17 first day of August prior to the day fixed for the sitting of the said commission
 18 as aforesaid, and all evidence for defendant shall be filed on or before the day
 19 for the said sitting of the commission, and no other evidence shall be received by
 20 the commission on the hearing of any such claim.

Sec. 445. COSTS.] The commission may make such orders as they deem
 2 proper for securing the payment of costs in claims not allowed: *Provided*, no
 3 security for costs shall be required in any claim referred to said commisison by
 4 either House of the General Assembly.

Sec. 446. REJECTION OF CLAIM.] In case the commission shall reject any
 2 claim, so filed as aforesaid upon the hearing thereof, such rejection shall con-
 3 clude the claimant unless the commission shall otherwise direct.

Sec. 447. REPORT TO GOVERNOR, ETC.] The Auditor shall, in his biennial
 2 report to the Governor, include a detailed statement of all awards of the com-
 3 mission in the hearing and determination of said claims and said statement shall
 4 be laid before the two Houses of the General Assembly at its session held next
 5 after the filing of the awards.

Sec. 448. EXCLUSIVE JURISDICTION.] The jurisdiction conferred upon the
 2 State Finance Commission by this Act shall be and is hereby declared to be
 3 exclusive.

Sec. 449. OPINIONS TO BE PUBLISHED.] At the close of each session the
 2 Auditor of Public Accounts shall compile and publish the opinions of the com-
 3 misison, rendered in connection with the hearing and determination of said
 4 claims, filed during the session.

TITLE VIII.

PUBLIC ACCOUNTS.

Sec. 450. SYSTEM OF ACCOUNTS FOR STATE OFFICES, ETC.] The State Comptroller shall formulate systems of bookkeeping and accounting for all State offices, boards, commissions and institutions, which shall be uniform for all offices, boards, commissions and institutions of the same class, and so far as practicable shall be uniform for all State offices, boards, commissions and institutions, and from time to time may amend and alter such systems of accounts. Such systems of accounts shall provide for the classification and definition of accounts, showing all sources of income, the amounts received and collectable from each source, the amounts expended for each purpose and outstanding incumbrances, and for all receipts, vouchers and other documents which may be necessary to prove the validity of every transaction. Separate accounts shall be provided for each appropriation, distinguishing payments for maintenance and operation from payments for land, buildings, permanent equipment and other extraordinary purposes. Provision shall also be made for a record of permanent property and for balance sheets showing assets and liabilities. Any such system of accounting, and any book, record or form invented by any State officer or employee shall be free to the use of the State.

Such system or systems of accounts and amendments thereto, when approved and prescribed by the State Finance Commission, shall be adopted and put in force by the several State offices, boards, commissions and institutions: *Provided*, that no such system of accounts shall be prescribed prior to July 1, 1917.

Sec. 451. COUNTY AND OTHER LOCAL ACCOUNTS.] The State Comptroller shall also formulate, and the State Finance Commission shall have power to approve and prescribe uniform systems of bookkeeping and accounts, which shall be installed in the offices of all county clerks, clerks of courts, recorders of deeds, sheriffs, treasurers, state's attorneys, county superintendents of schools, coroners, county controllers, and all other county officers. Upon the request of any city council, village trustees, city or village commissioners, board of town audi-

8 tors, school trustees, school directors, boards of education, highway commis-
 9 sioners or other municipal corporation, the State Comptroller shall formulate
 10 uniform systems of bookkeeping and accounts for such municipal authorities,
 11 and when such systems of account have been approved by the State Finance
 12 Commission they shall be adopted and put in force by the municipal authori-
 13 ties making such request. Such systems of accounts for county and municipal
 14 officers shall be uniform for each class of officers; and so far as practicable shall
 15 be uniform with the systems prescribed for State officers, boards and institu-
 16 tions. Whenever any system of accounts has been approved and prescribed
 17 under the provisions of this section, it shall be the duty of the county officers
 18 and of the municipal officers requesting the same to keep all accounts of their
 19 offices in accordance with such systems; and to make financial reports in accord-
 20 ance with the forms and methods prescribed by the State Finance Commission.

Sec. 452. EXAMINATION AND AUDIT.] The Auditor of Public Accounts shall
 2 have power and it shall be his duty, personally or by authorized examiners and
 3 assistants, to audit the books, records and accounts and financial affairs of
 4 every State office, board, commission and institution, and of every county office
 5 and all other local offices in which uniform systems of accounts have been in-
 6 stalled under the provisions of this title. Such audits shall be made annually
 7 for the preceding fiscal year and at such other time as may be directed by the
 8 Auditor, the Governor, or the State Finance Commission. On every such audit,
 9 inquiry shall be made whether the laws of the State, the requirements of the
 10 State Finance Commission, and other authorized rules and regulations have
 11 been complied with; and inquiry shall be made into the methods and accuracy
 12 of the accounts and reports, and the financial condition and resources of the of-
 13 fice, board, commission or institution. The Auditor and authorized examiners
 14 and assistants shall have authority to enter any office subject to examination
 15 and to inspect any books, papers, or documents contained therein, and to com-
 16 pel the production of any books, papers or documents necessary for making
 17 such examination or audit and shall have authority to issue subpoenas and com-

pel the attendance of any officer, deputy, employee or other person when testimony may be required; and may administer oaths and require the testimony of witnesses under oath.

Sec. 453. REPORTS AND STATISTICS.] A full report of each examination and audit of the accounts of any officer, board, commission or institution shall be filed in the office of the Auditor of Public Accounts and a copy thereof shall be submitted to the officer, board, commission or institution, and in the case of county and local offices to the county board or the local authority having jurisdiction over such office. Such reports shall show the condition of the books, records and accounts of such office; and shall include a financial statement of all collections, receipts and payments, classified by sources of income and purposes of expenditures, and of all amounts due to or by such office or officer, board, commission or institution, and of all other assets and liabilities. Such reports shall be published with the report of the office, board, commission or institution or in the case of county and other local offices with the proceedings of the county board or the local authority having jurisdiction over such office. An abstract of the financial statements shall also be published by the Auditor in an annual report to be issued by the State as a public document and submitted to the Governor for transmission to the General Assembly.

Sec. 454. RELEASE OF OFFICIAL BONDS.] Upon the expiration of any bonded State or county officer's term of office, or upon his resignation, discharge or death, the accounts of such office shall be examined and audited by the Auditor of Public Accounts or an authorized examiner, and if found correct a certified report to that effect shall be made and kept in the office of the Auditor, and in the case of county officers, a certified copy of the report shall be filed with the county clerk.

After the expiration of two years from the date of filing such report, no suit or proceeding shall be brought against such officer or employee, or the sureties on the bond of such officer or employee for any moneys received or disbursed by him, in his official capacity during his term of office or service: *Provided*, if when the cause of action accrues against a person, he is out of the State, the

13 action may be commenced within the time herein limited, after his coming into or
 14 return to the State; and if, after the cause of action accrues, he departs from
 15 and resides out of the State, the time of his absence shall be no part of the
 16 time limited for the commencement of such action; but the foregoing provisions
 17 of this paragraph shall not apply to any case when, at the time the cause ac-
 18 crued or shall accrue, neither the party against nor in favor of whom the same
 19 accrued, were or are residents of the State: *Provided, also*, if the person en-
 20 titled to bring an action is, at the time the cause of action accrued, under his
 21 or her legal majority, insane, or imprisoned on a criminal charge, he or she
 22 may bring the action within two years after the disability is removed. The
 23 limitation of the right to bring suit or proceeding as above prescribed shall in-
 24 clude and apply to suits and proceedings brought by or on behalf of the State,
 25 and by all other public corporations as well as to suits and proceedings
 26 brought by private corporations and persons.

Sec. 455. OFFENSES AND PENALTIES.] Any officer, deputy or employe subject
 2 to the provisions of this title, who shall fail to keep their books, records and ac-
 3 counts in the forms prescribed by the State Finance Commission or who shall
 3 refuse to permit the Auditor of Public Accounts to audit the books, papers and
 4 accounts of the office, shall be deemed guilty of a misdemeanor, and upon con-
 5 viction thereof shall be punished by a fine not exceeding one hundred (\$100)
 6 dollars, or imprisonment in a county jail not exceeding six months, or both, in the
 7 discretion of the court.

8 Any witness duly summoned by the Auditor or an authorized examiner who
 9 refuses to appear, to produce books, documents or papers, to make oath or affirma-
 10 tion or to testify, shall be deemed guilty of a misdemeanor, and upon conviction
 11 thereof shall be punished by a fine not exceeding one hundred (\$100) dollars, or
 12 imprisonment in the county jail not exceeding six months, or both in the discre-
 13 tion of the court.

14 The Auditor or an examiner in charge of an examination shall promptly re-
 15 port any offense arising hereunder to the State's Attorney of the county in
 16 which the offense occurred, who shall promptly institute proceedings against

the officer, employe or witnesses concerned. On refusal or neglect of the State's Attorney to take action, the Auditor shall report the facts to the Attorney General, who shall thereupon institute such proceedings as the facts of the case may require.

Sec. 456. STATEMENTS AND REPORTS OF COUNTY OFFICERS.] All county officers charged in any manner with the receipt, collection or disbursement of the county finances, or having authority to incur expenses on account of the county, or charges of any character whatsoever against the county finances, shall make monthly statements in writing under oath showing in detail all revenue, expenses and charges of the county and his office and the condition of its finances and file the same in the office of the county controller. All such officers shall, also, at the times and in form as the county controller shall direct, make semi-annual reports thereof to said controller. It shall be the duty of the controller to require strict observance of this duty to file statements and make reports.

Sec. 457. WARRANTS.] The county controller shall sign all warrants drawn upon the county treasurer, which shall be countersigned by the president or the chairman of the board, as the case may be, and the same shall state therein the particular fund or appropriation to which the same is chargeable. Upon the presentation of any voucher or vouchers for payment, the county controller, in his discretion, before issuing a warrant therefor, is hereby authorized to cause to be made an inspection and examination of the article supplied and work and labor performed, whether by written contract or otherwise; also of any items appearing in any such voucher, for the purpose of ascertaining that such items, or any of them, are correct, and the price, quality and amount of goods, wares and merchandise represented by said voucher are fair and just, and in accordance with the terms of the written contract, if any there be, and that all requirements and obligations expressed or implied pertaining thereto have been complied with. And the controller shall have the power, for that purpose, to require any claimant or claimants to file with him a state-

17 ment in writing, under oath, as to any fact, matter or thing concerning the cor-
 18 rectness of any account, claim, or demand, and also to require the county officer
 19 or department concerned to assist in the investigation or examination.

Sec. 458. AMOUNTS AND STATEMENTS. The county controller shall open and
 2 keep in a clear and methodical manner a complete set of accounts of county
 3 finances, as prescribed by the State Finance Commission, wherein shall be
 4 stated, among other things, the appropriations for the fiscal year for each dis-
 5 tinct object and branch of expenditure, and also the estimated receipts from
 6 each and every source of revenue, so far as he can ascertain the same. It
 7 shall be his duty, at the close of each fiscal year to place to the credit of a gen-
 8 eral fund all unexpended appropriations for such year, but which shall not in-
 9 clude the amount required to liquidate contracts or liabilities entered into by
 10 virtue or authority of such appropriation, and which remain unpaid at the
 11 close of the fiscal year: *Provided*, that no such disposition shall be made of
 12 any trust fund or funds that by law are specific and under the direct control of
 13 officers specially appointed for their disbursement. He shall prepare an annual
 14 statement of county finances for publication on or before a date to be prescribed
 15 by the State Finance Commission. Such statement shall also detail all the lia-
 16 bilities and resources of the county, the condition of all unexpended appropria-
 17 tions and contracts unfulfilled and the balance of money then remaining in the
 18 treasury, with all sums due and outstanding, and the amounts unaccounted for,
 19 and all other things necessary to exhibit the true financial condition of the coun-
 20 ty, which statement, when examined and approved by the Auditor of Public Ac-
 21 counts, shall be published by the county controller.

Sec. 459. ANNUAL ESTIMATES.] The county controller shall, also, on or
 2 before the first day of September of each year, before the annual appropria-
 3 tions are made by the county board, submit to the board a report of the esti-
 4 mates of revenues and of the funds necessary, as nearly as may be, to defray
 5 the expenses of the county government during the current fiscal year; he shall
 6 in such report class the different objects and branches of the county expendi-

7 tures, giving as nearly as possible the amount required for each class, and for
 8 this purpose it shall be the duty of all county officers and heads of departments
 9 to make and furnish the controller, on his request, statements of the condition
 10 and expenditure of their respective departments and offices with any desired
 11 alterations and improvements and the probable expense thereof, and statements
 12 of contracts already made and unfinished, and the amount of any unexpended
 13 appropriations of the preceding year. The county controller shall, also, in such
 14 report, show the aggregate income of the preceding fiscal year from all sources,
 15 the estimated revenues for the current year and the amount required to be raised
 16 by taxation, the amount of liabilities outstanding upon which interest is to be
 17 paid, and of bonds and county debts payable during the fiscal year, when due
 18 and where payable, so that the county board may fully understand the money
 19 exigencies and demands of the current year. He shall also make and publish
 20 monthly statements giving full and detailed accounts of all moneys received and
 21 expended for the public service of the county.

TITLE IX.

REPEALS, VALIDITY, CONSTRUCTION, AND TAKING EFFECT OF ACT.

Sec. 460. WHEN ACT TAKES EFFECT.] This Act shall take effect and be in
 2 force from and after the first day of January, A. D. 1917, except as otherwise
 3 provided in this Act.

Sec. 461. CONSTITUTIONALITY.] If any section, subdivision, sentence, clause
 2 or phrase of this Act is for any reason held invalid or to be unconstitutional,
 3 such decision shall not effect the validity of the remaining portion of this Act.

Sec. 462. TECHNICAL OMISSIONS NOT TO INVALIDATE ACT.] A substantial com
 2 pliance with the requirements of this Act shall be sufficient to give effect to all
 3 the acts, orders, decisions, rules and regulations of the State Finance Com-
 4 mission or of any of the boards or officers in said Act provided, and they shall
 5 not be declared inoperative, illegal or void for any omission of a technical na-
 6 ture in respect thereto.

Sec. 463. REPEALS.] On and after January 1, 1917, the following Acts

2 and parts of Acts shall be and are repealed:

3 "An Act to restore uniformity in the taxation of real and personal prop-
4 erty, for all purposes, in the several counties and cities of this State," approved
5 January 4, 1872:

6 "An Act for the assessment of property and for the levy and collection of
7 taxes," approved March 30, 1872, and as amended:

8 "An Act to revise the law in relation to the State Treasurer," approved
9 April 23, 1873:

10 "An Act to revise the law in relation to the Auditor of Public Accounts,"
11 approved April 25, 1873, and as amended:

12 "An Act to provide for the assessment and taxation of bridges across navig-
13 able waters on the borders of this State," approved May 1, 1873:

14 "An Act to provide security for bonds in the State treasury," approved May
15 25, 1877:

16 "An Act to authorize the Treasurer of the State of Illinois to receive cer-
17 tain moneys from the United States," approved April 18, 1889:

18 "An Act exempting from taxation bridges across any stream forming the
19 boundary line between this and an adjoining State when such bridge is a free
20 public highway," approved May 10, 1889:

21 "An Act to provide for casual deficits or failures in revenues," approved
22 April 2, 1897:

23 "An Act for the assessment of property and providing the means therefor,
24 and to repeal a certain Act therein named," approved February 25, 1898, and
25 as amended:

26 "An Act concerning the levy and extension of taxes," approved May 9,
27 1901, as amended by an Act approved March 29, 1905, as amended by an Act
28 approved June 14, 1909, as amended by an Act approved May 20, 1913:

29 "An Act to create the Court of Claims and to prescribe its powers and du-
30 ties," approved May 16, 1903:

31 "An Act to provide for the deposit of State moneys by the State Treasurer

and for the payment of interest on same, and to make an appropriation for the cost of the State Treasurer's official bond and bond or bonds of the employes of his office," approved March 7, 1908:

"An Act entitled 'An Act in regard to tax titles and providing for the reconveyance of tax titles and fixing a penalty for failure or refusal to reconvey,'" approved June 14, 1909:

"An Act to tax gifts, legacies, inheritances, transfers and to provide for the collection of the same, and repealing certain Acts therein named," approved June 14, 1909, and as amended:

"An Act in relation to the payment of the public money of the State into the State Treasury," approved June 9, 1911:

"An Act to create the office of county auditor in counties under township organization of over seventy-five thousand (75,000) inhabitants and under three hundred thousand (300,000), to provide for his nomination, election, term of office, salary and to define his duties," approved June 10, 1911:

Clause "d" of section "5" of "An Act to establish a joint legislative reference bureau and to define the powers and duties thereof," approved June 26, 1913:

The repeal of said Acts and parts of Acts shall in no wise affect any assessment of property, or any tax or special assessment imposed under the provisions of any Act or Acts hereby repealed, or any proceeding pending at the time this Act shall take effect; and all such assessments of property and taxes and special assessments shall remain in force, and all proceedings for the assessment of property or the levy or collection of any tax or special assessment remaining incomplete at the time this Act shall take effect, may be completed under the provisions of this Act. Nor shall such repeal in any wise impair any right existing, or affect any suit, prosecution or court proceedings pending, at the time this Act shall take effect, or any right which the State of Illinois or other public officer or body may have, at the time this Act shall take effect, to claim any tax or special assessment upon any property under the provisions of any Act hereby

62 repealed for which no proceedings have been commenced; and all appeals and
63 rights of appeal in all suits pending or appeals from inheritance tax assessments
64 made by appraisers' reports, orders fixing tax or otherwise, or from any other
65 assessment of property, tax or special assessment, existing in this State, may
66 be continued and completed under the provisions of this Act. The provisions
67 of this Act shall apply to redemptions from sales made for taxes or special as-
68 sessments previous to the taking effect hereof, and the mode of giving notice,
69 and issuing deeds upon certificates of sale made for taxes.

EXPLANATORY STATEMENT

IN REFERENCE TO A BILL FOR AN ACT IN RELATION TO PUBLIC FINANCES.

This bill is a consolidation of the present revenue laws of Illinois and other laws relating to public finances, with provisions for the new administrative organization and other changes recommended by the Efficiency and Economy Committee. It includes the provisions of the Revenue Act of 1872, as amended, the Assessment Act of 1898, the Inheritance Tax Law, Acts relating to the Auditor of Public Accounts, State Treasurer, payment of moneys into the State Treasury, the Court of Claims, and some other Acts of less importance. The substantive provisions of these Acts are in the main retained, and for the most part in the same language as at present. But efforts have been made to reconcile conflicting provisions, to eliminate obsolete provisions, and to classify and rearrange the numerous provisions so as to make the law more easily and more clearly understood.

Title I, on Officers and Official Bodies, deals with administrative organization and contains a large proportion of the new matter in the bill. Article I, on the State Finance Commission, and including provisions as to the proposed State Comptroller, Tax Commissioner and Revenue Commissioner, is substantially new, though some of the powers of the Finance Commission and the Tax Commissioner are now vested in the State Board of Equalization. The latter board is to be abolished on the expiration of the terms of the members now in office.

The provisions of Articles 2 and 3, on the State Treasurer and the Auditor of Public Accounts are taken from the present laws, except section 32, requiring reports of State funds deposited in banks.

Article 4, on Local Assessors and taxing authorities, is taken from the present law, except some provisions of sections 68 and 72, relating to the organization and powers of county boards of taxation, which are to take the place of the present county boards of review.

Article 5, on Collectors, is taken from the present law.

Article 6, on County Controllers, and Articles 7 and 8, containing optional provisions for the assessment of property and collection of taxes by county officers, are new.

Article 9, Miscellaneous Provisions, is taken from the present law.

Title II, on the Assessment of Property for Taxation, is for the most part taken from the present law. The principal changes are in the provisions for assessing the capital of banks other than state and national banks (sections 148 and 181) and for assessing the capital and other property of public utilities and companies and associations (sections 166-168, 178-180, 227). The latter provisions are for the purpose of assessing the capital employed in Illinois by public utilities and corporations organized under the laws of other States and countries in the same way as the capital stock of Illinois corporations.

Section 218, on appeals from the county board of taxation to the State Finance Commission, is new; and section 236, on the certification of final valuations to the county clerk, makes the determinations of the State Finance Commission the final valuation for all taxes.

Title III, on the levy and extension of taxes, contains some changes from the present law. Sections 244 and 245 contain the provisions of the Juul law, rewritten for the purpose of expressing more clearly the meaning of the law, as interpreted by the Supreme Court. In section 246, providing for the collectors' books, all taxes levied at the same rate in each collector's district are to be extended in one column, thus reducing the labor and expense of extending taxes. Section 249 provides that the taxes on "capital and other property" may be extended in the railroad tax book. Section 250 provides for an examination of local tax levies by the county boards of taxation, so that errors may be corrected before the taxes are extended; and makes the action of the county boards of taxation final as to the levy of taxes.

Title IV, on the Collection of Taxes, makes no material changes from the present law. In section 381, the Auditor of Public Accounts is authorized to cite county collectors before the county court to explain any delay in making final settlements. Sections 388 to 391 provide that taxes in the hands of collectors shall be deposited at interest, and the interest paid into the State Treasury.

Title V is the Inheritance Tax Law, with the administrative provisions changed to provide for assessment and collection by the Revenue Commissioner, instead of by county officers. There has also been some rearrangement of sections.

Title VI, on the Payment of Public Money into the State Treasury, contains the provisions of the Act of 1911, for the payment of fees collected by State officers, boards and commissions into the State Treasury.

Title VII, on Claims Against the State, contains the provisions of the Act relating to the Court of Claims, whose functions will be performed by the State Finance Commission.

Title VIII, on Public Accounts is new. It provides for uniform systems of accounts and regular audits of such accounts for State and county officers, and for the release of such officers and their bondsmen from further liability after the official audit. The provisions of this article are also available to other local authorities, at their request.

Title IX, contains some general provisions. It is provided that the new Act is to go into effect on January 1, 1917. The various Acts whose provisions are incorporated in the bill are to be repealed.



- 1 Introduced by Mr. Richardson, March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to make an appropriation to the Illinois Corn Growers' Association for the purpose of encouraging the corn growing industry.

WHEREAS, It is the object of the Illinois Corn Growers' Association:

- 2 1. To create a more general interest in the study of the corn plant, with
3 a view to securing larger yields at reduced expense.
- 4 2. To encourage the study of the methods of corn improvement by holding
5 corn schools, conventions, corn shows, and by other practical means.
- 6 3. To develop as definitely as possible a standard of excellence for the sev-
7 eral varieties and types of corn by the use of a score card and other helpful
8 methods.
- 9 4. To issue printed reports when funds can be secured and when such re-
10 ports will make the above objects more effective, and

11 WHEREAS, The work of the association is of great interest and benefit to the
12 entire State, therefore.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and is hereby appropriated
3 for the use of the Illinois Corn Growers' Association the sum of five hundred
4 (\$500) dollars, for the purpose of assisting said association to carry on its
5 work for the advancement and development of the corn growers' industry said
6 sum to be expended under the direction of the Illinois Corn Growers' Associa-
7 tion in holding meetings publishing the proceedings of such meetings and such
8 literature as shall be prepared for publication and distribution: *Provided, how-*
9 *ever,* that no officer or officers of the Illinois Corn Growers' Association shall
10 be entitled to receive any money compensation, whatever out of the funds
11 hereby appropriated.

Sec. 2. On the order of the president countersigned by the secretary of the
2 Illinois Corn Growers' Association and approved by the Governor, the Auditor
3 of Public Accounts shall draw his warrant on the State Treasurer in favor of
4 the treasurer of the Illinois Corn Growers' Association for the sum herein ap-
5 propriated and the State Treasurer shall pay the same out of any funds not
6 otherwise appropriated. It shall be the duty of the treasurer of the Illinois
7 Corn Growers' Association to pay out of said appropriation on itemized and
8 receipted vouchers such sums as may be authorized by a vote of said organiza-
9 tion on the order of the president, countersigned by the secretary and make an-
10 nual report of all such expenditures as provided by law to the Governor.

- 1 Introduced by Mr. Smejkal (by request), March 31, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to meet a deficiency in the office and other expenses of the Legislative Reference Bureau.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there be and is hereby appropriated

3 to meet a deficiency in the appropriation for the Legislative Reference Bureau

4 the following sums:

5 For legal services, fees and opinions	\$ 8,000.00
6 For office help and services.....	5,000.00
7 For supplies, equipment, furniture, typewriters, desks, books, sub-	
8 scriptions for papers, periodicals, magazines, telegraph and tel-	
9 ephone and postage	1,500.00
10 For traveling expenses of members and secretary	500.00
11 Total	\$15,000.00

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed,

2 upon presentation of proper vouchers certified to by the secretary of the Legis-

3 lative Reference Bureau and approved by the Governor, to draw his warrants
4 for the above sum or so much thereof as may be necessary, upon the State Treas-
5 urer, and the State Treasurer is hereby authorized and directed to pay the
6 same out of any funds in the State treasury not otherwise appropriated.

Sec. 3. Whereas, the above appropriated sum is immediately required,
2 therefore an emergency exists and this law shall take effect, from and after its
3 passage and approval.



- 1 Introduced by Committee on Roads and Bridges, April 1, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading without reference.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, by amending sections 9 and 32 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 9 and 32 of an Act entitled,
3 "An Act to revise the law in relation to roads and bridges," approved June 27,
4 1913, in force July 1, 1913, be and the same are hereby amended so as to read
5 as follows:

6 Sec. 9. STATE AID AUTHORIZED.] Public highways, or sections thereof, in-
7 cluding bridges therein, may be laid out, improved or constructed at the joint
8 expense of the State and any county within the State as hereinafter provided. In
9 such case the State shall contribute one-half of the expense thereof, and the
10 county or counties through which the said highway or portion thereof passes
11 shall contribute the remaining one-half. Such highways hereinafter known as
12 "State Aid Roads," may be laid out, constructed or improved in the manner
13 hereinafter directed:

14 The board of supervisors or county commissioners of any county shall, by
15 a majority vote of the entire board of supervisors or county commissioners, in
16 regular or special session, specify the type of road to be constructed under the
17 provision of this Act in their respective counties, which decision shall be final
18 and not subject to change by the State Highway Commission, whether or per-
19 manent earth improvement (including surface or sub-surface drainage, grading,
20 leveling, and crowning), gravel, macadam, concrete, concrete and macadam com-
21 bined, or brick, and the respective boards of supervisors or county commis-
22 sioners shall have the authority to specify any one of the herein designated
23 types of roads: Provided, the final decision as to type of road to be builded
24 under the provisions of this Act in any county shall not be made until the board
25 of supervisors or county commissioners shall have secured from the State High-
26 way Commisison detailed estimates of the cost in their respective counties of
27 the several herein specified types of roads and the estimates furnished by the
28 State Highway Commission shall be published for two consecutive issues once
29 each week in two newspapers having the largest circulation in the county. In
30 case the board of supervisors or county comissioners of any county are unable
31 to agree or do not desire to exercise the privilege and power herein conferred
32 upon them as to designating the type of road to be builded and shall so notify
33 the State Highway Commission, then it shall be the duty of the State High-
34 way Commission to specify the type of road to be builded and the decision of
35 the State Highway Commisison shall have the same force and finality as if made
36 by the board of supervisors or county commisisoners. When a certain type of
37 proposed road is specified by the board of supervisors or county commissioners
38 or by the State Highway Commission by and with the consent of the board of
39 supervisors or county commissioners such type shall be adhered to throughout
40 the entire length of such road; that is, from one main objective connecting
41 point to another within the county: Provided, nothing herein contained shall
42 prohibit the State and county jointly, at any future time, rebuilding and chang-
43 ing, under the provisions of this Act, an earth, gravel, or macadam type of

44 road to any other more permanent type herein specified: *Provided, further, that*
 45 *when a gravel or macadam road is constructed the county shall pay one-half the*
 46 *cost of such maintenance: And, provided, further, that when an earth road is*
 47 *constructed the county shall pay the entire cost of maintenance.*

48 *Provided, however, that no road or part thereof lying within the corporate*
 49 *limits of any city or village within this State shall be improved or constructed*
 50 *with State aid.*

51 Sec. 32. REPAIR AND MAINTENANCE OF STATE AID ROADS.] Whenever any
 52 State aid road shall be constructed or improved in any county under the pro-
 53 visions of this Act, the State Highway Commission, either directly or through
 54 the State Highway Engineer, the assistant State Highway Engineer or the
 55 county superintendent of highways, shall thereafter keep all such roads in prop-
 56 er repair, and the total cost of such maintenance shall be paid out of the State
 57 road and bridge funds upon the warrant of the Auditor, whenever such payment
 58 shall be ordered by the State Highway Commission. For the purpose of keeping
 59 such roads in proper repair, the State Highway Commission shall have author-
 60 ity to purchase all necessary tools, machinery, supplies and materials, and may
 61 employ, or authorize the State Highway Engineer to employ, all labor neces-
 62 sary therefor.

63 (A) *For the purpose of improving, repairing and maintaining the pro-*
 64 *posed system of State Aid roads in the respective counties under the provisions*
 65 *of this Act, and for the purpose of assisting the townships and road districts*
 66 *in improving, repairing and maintaining township and district roads, the board*
 67 *of supervisors or county commissioners in the respective counties are hereby*
 68 *authorized to purchase machinery and appropriate the necessary funds for*
 69 *carrying on such work and such boards of supervisors or county commisisoners*
 70 *are further authorized to lease said machinery to the townships or roads dis-*
 71 *tricts within the respective counties for the work of improving, repairing, and*
 72 *maintaining the roads in their respective townships and road districts.*

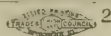


1 Adopted May 6, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 575 in House, by striking out the words “within
2 this State shall be improved or constructed” in line 49 of section 9 thereof, and
3 all of line 50 in the same section and insert in lieu thereof:

4 “Situate within any county of the first or second class, or any city or vil-
5 lage having a population exceeding twenty thousand (20,000) inhabitants by the
6 last preceding federal census situate within any county of the third class, shall
7 be improved or constructed with State aid: *And, provided,* that a road or part
8 thereof lying within the corporate limits of any city or village having a popula-
9 tion of twenty thousand (20,000) inhabitants or less, ascertained as aforesaid,
10 situate within any county of the third class, may be improved or constructed
11 with State aid, to connect or complete, by the most direct route, a State aid
12 road already improved or constructed or being improved or constructed to the
13 corporate limits of such city or village.”



- 1 Introduced by Mr. Rothschild, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to establish a department of public works, parks and buildings, and to repeal an Act therein named.

SECTION

1. Department Created—Divisions and Bureaus.
2. Board of Public Works—Appointment—Removal.
3. Bond—Oath—Salaries.
4. Organization of Board.
5. General Powers and Duties.
6. Office — Books and Stationery — Transfer of records and property.
7. Appointments — Civil Service — Transfer.
8. State Aid Roads.
9. Appeals from Commissioner of Water Resources.
10. Reports.
- HIGHWAYS.
11. Powers and Duties of the State Highway Commissioner.
12. State Highway Commission Abolished.
- WATER RESOURCES.
13. Powers of Commissioner.
14. Pollution of Streams — Encroachments.

SECTION

15. Drainage — Reclamation — Flood Prevention.
16. Water Front Improvements.
17. Water Plants—Sewage Disposal.
18. Aid to Local Officials.
19. Appeal to Board of Public Works.
20. Rivers and Lakes Commission Abolished.
- ILLINOIS AND MICHIGAN CANAL.
21. Illinois and Michigan Canal Commissioners Abolished — Transfer of Property.
22. Appointment of Canal Officials.
23. Rules and Regulations—Tolls, Etc.
24. Custody of Funds.
- FISH AND GAME CONSERVATION.
25. Game and Fish Conservation Commission Abolished.
26. District Wardens.
27. Fish and Game Laws Continued.
- STATE PARKS.
28. Superintendent of Parks.

SECTION

29. Powers and Duties of Superintendent.

30. Police Powers.

31. Boards Abolished.

STATE ART COMMISSION.

32. State Art Commission Continued.

33. Additional Powers and Duties.

CUSTODY OF PUBLIC BUILDINGS AND
PROPERTY.

SECTION

34. Superintendent of Public Buildings.

35. Bond—Oath—Salary.

36. Powers and Duties.

37. Transfer of Property.

38. Lincoln Home and Lincoln Monument.

GENERAL PROVISIONS.

39. Reports.

40. Repeal.

A BILL

For an Act to establish a department of public works, parks and buildings, and to repeal an Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* DEPARTMENT CREATED—DIVISIONS AND BU-
3 REAUS.] That there be and is hereby created an executive department to be
4 known as the Department of Public Works, Parks and Buildings. Within the de-
5 partment there shall be, and is hereby established the following divisions and
6 bureaus: Division of Highways, Division of Water Resources, Division of Fish
7 and Game Conservation, Bureau of Parks, Bureau of Public Buildings, and the
8 State Art Commission.

Sec. 2. BOARD OF PUBLIC WORKS—APPOINTMENT—REMOVAL.] For the pur-
2 pose of co-ordinating the work of the various divisions and bureaus and pro-

moting and developing the interests of the department as a whole, there is hereby created a State Board of Public Works, to consist of three members, one of whom shall be appointed as State Highway Commissioner, one as State Commissioner of Water Resources, and one as State Fish and Game Commissioner, to be chosen in the following manner: Within thirty days after this Act shall take effect the Governor shall, by and with the advice and consent of the Senate, appoint a State Highway Commissioner, a State Commissioner of Water Resources and a State Fish and Game Commissioner, who together shall form the State Board of Public Works. If the Senate is not in session the Governor shall make temporary appointments as in the case of a vacancy. The officers first appointed shall serve until January 15, 1917; and until their successors shall be appointed and qualified. On or before January 15, 1917, and every four years thereafter, the Governor shall, by and with the advice and consent of the Senate, appoint a State Highway Commissioner, a State Commissioner of Water Resources, and a State Fish and Game Commissioner, as members of the State Board of Public Works, to serve for a term of four years from January 15, of the year of their appointment and until their successor shall be appointed and qualified. Any of the said Commissioners may be removed by the Governor for incompetency, neglect of duty or malfeasance in office. Any vacancy which may occur by reason of death, resignation, or other disqualification shall be filled for the unexpired portion of the term by the Governor and Senate; or if the Senate is not in session, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office.

Sec. 3. BOND—OATH — SALARIES.] Each member of the Board of Public Works, before entering on the duties of his office, shall furnish a bond in the sum of \$10,000, conditioned on the faithful performance of his duties, which shall be approved as to its form by the Attorney General and as to its sufficiency by the Governor.

The members of the Board of Public Works, before entering upon the discharge of their duties, shall also take the constitutional oath of office.

4
8 The State Highway Commissioner shall receive an annual salary of \$5,000
9 per annum, the Commissioner of Water Resources and the Fish and Game
10 Commissioner shall each receive an annual salary of \$4,000, payable monthly;
11 and in addition each shall be entitled to all necessary traveling expenses in-
12 curred while engaged in the actual performance of official duties.

Sec. 4. ORGANIZATION OF BOARD.] The State Highway Commissioner shall
2 be Chairman of the Board of Public Works. It shall be the duty of the Chair-
3 man to call meetings and to preside over the deliberations of the Board. The Sec-
4 retary shall keep an accurate record of the meetings of the Board and shall have
5 custody of all its records. In the transaction of business the assent of two
6 members shall be necessary to render action valid except as otherwise pro-
7 vided in this Act.

Sec. 5. GENERAL POWERS AND DUTIES.] The Board of Public Works is
2 hereby vested with authority, and it shall be its duty to supervise in general
3 the work of the various divisions and bureaus of the department; and to take
4 such steps as it may deem necessary from time to time to promote the inter-
5 ests of good roads, and the conservation and utilization of the water and fish
6 and game resources of the State. It shall be the duty of the Board to study
7 problems relating to highway development, water resources, navigation, wat-
8 er power development, reclamation, flood prevention, drainage and the conserva-
9 tion of fish and game life within the State, and to devise plans best adapted
10 to the solution of these problems.

11 The Board of Public Works shall also have power and it shall be its
12 duty to investigate and prepare plans for beautifying the public waters and
13 highways of the State, for the development of a comprehensive system of
14 state parks and pleasure resorts in connection with the public waters of the
15 State or otherwise, and, in general to coordinate the work of the various divi-
16 sions and bureaus of the department, in order to insure harmonious working
17 relations between them and the advancement of the interests of the department
18 as a whole. All rules and regulations which may be issued from time to time

19 by the several divisions and bureaus in the Department of Public Works shall
20 be submitted to the Board of Public Works, and shall require the approval
21 of said Board before they go into effect.

22 The Board of Public Works shall have power to appoint such experts
23 assistants, clerks and other employees as it may deem necessary for the proper
24 exercise of the powers conferred by this Act, and to adopt rules and regulations
25 governing their duties and conduct.

Sec. 6. OFFICE—BOOKS AND STATIONERY—TRANSFER OF RECORDS AND PROPERTY.]

2 The Department of Public Works shall be assigned offices in the State Capitol,
3 and shall be furnished with the necessary blank books, blanks, stationery and
4 printed matter. On the appointment and qualification of the Board of Public
5 Works, the State Highway Commission, the Rivers and Lakes Commission, the
6 Canal Commissioners, the Game and Fish Association Commission, the Illinois
7 Park Commission, the Fort Massac Trustees, the Trustees of the Lincoln
8 Monument and the Trustees of the Lincoln Home, shall transfer and deliver
9 to such Board of Public Works all records, books, papers, documents, files and
10 other property in its possession and under its control; and the Board of Pub-
11 lic Works shall receive and have custody of such property for the use of the
12 Department of Public Works and its several divisions and bureaus.

Sec. 7. APPOINTMENTS—CIVIL SERVICE—TRANSFER.] All offices and em-

2 ployees in the Department of Public Works and its several divisions
3 and bureaus shall be subject to the provisions of an Act entitled,
4 "An Act to regulate the civil service of the State of Illinois," approved
5 May 11, 1905, as amended: *Provided*, that the Governor shall have power, by
6 order, to exempt from the classified civil service such positions of administrative
7 responsibility as it is found to be impracticable to fill by competitive examin-
8 ation.

9 All officers and employees of the State Highway Commission, the Riv-
10 ers and Lakes Commission, the Canal Commissioners, the Game and Fish Con-
11 servation Commission, the Illinois Park Commission, the Fort Massac Trustees,
12 the Trustees of the Lincoln Monument and the Trustees of the Lincoln Home

13 in the classified civil service of the State shall be continued in such classified
14 civil service in the appropriate division or bureau of the Department of Public
15 Works created by this Act.

Sec. 8. STATE AID ROADS.] All plans and proposals for the designation
2 hereafter of state aid roads, or to alter the location of state aid roads prev-
3 iously designated, or to determine which sections of any state aid road shall be
4 improved with the assistance of appropriations made by the General Assembly,
5 shall be submitted to the Board of Public Works; and no such plans or pro-
6 posals shall be adopted and determined until approved by the said Board of
7 Public Works.

Sec. 9. APPEALS FROM COMMISSIONER OF WATER RESOURCES.] Appeals may
2 be taken from any decision of the Commissioner of Water Resources with
3 reference to the pollution of streams and encroachments upon the public wat-
4 ters or water fronts of the State or plans for the construction, alteration or
5 improvement of public water supplies or sewage disposal systems to the Board
6 of Public Works under such rules and regulations as may be prescribed by such
7 board. When such appeals are taken, the Board shall proceed to investigate
8 the causes of the action, and render a decision thereon. Public hearings may
9 be granted by the Board if it deems such desirable or necessary; or if the de-
10 fendants request a hearing the Board must proceed to grant the same. The
11 process of hearing appeals before the Board and the powers of the
11½ Board with respect thereto, shall be the same as those now vested
12 in the Rivers and Lakes Commission. The decision of the Board
13 shall take the form of a final order which shall be enforceable in the
14 same manner as are orders now issued or authorized by law by the Rivers
15 and Lakes Commission. All powers and duties with respect to hearings and en-
16 forcement of decisions, except as such may be modified by this Act, now vested
17 in the Rivers and Lakes Commission of the State of Illinois, are hereby vested
18 in the Board of Public Works: *Provided*, That nothing in this section shall
19 be construed to prevent an appeal from the decision of the Board of Public

20 Works to the courts of the State in the same manner and under the same cir-
21 cumstances as is now provided by law for appeals from the decisions of the
22 Rivers and Lakes Commission.

Sec. 10. REPORTS.] On or before the first day of November preceding each
2 regular session of the General Assembly, the several divisions and bureaus in
3 the Department of Public Works shall prepare and submit to the Board of
4 Public Works a report for the preceding two years, with a financial statement
5 of revenues and expenditures for the two fiscal years preceding the date of
6 such report, estimates of revenues and expenditures for the current fiscal year,
7 and estimates of revenues and appropriations requested for the two following
8 fiscal years, with such other information as may be required by the Board of
9 Public Works.

10 On or before the first day of December preceding each regular session of
11 the General Assembly, the Board of Public Works shall prepare and submit to
12 the Governor a report showing the work of the department and all divisions
13 and bureaus thereof for the preceding two years, with a financial statement
14 of revenues and expenditures for the two fiscal years preceding the date of
15 such report, estimates of revenues and expenditures for the current fiscal
16 year, and estimates of revenues and appropriations requested for the two fol-
17 lowing fiscal years; and with such other information and recommendations as it
18 may deem proper.

19 The Board of Public Works and the several divisions and bureaus shall
20 also prepare and submit such other reports as may be required from time to
21 time by the Governor.

HIGHWAYS.

Sec. 11. POWERS AND DUTIES OF THE STATE HIGHWAY COMMISSIONER.] The
2 State Highway Commissioner shall be the executive head of the Division of
3 Highways and shall exercise the following powers:

4 (a) He shall have general powers of supervision, management and con-
5 trol over the construction, maintenance, improvement and repair of State aid
6 roads and bridges within the State;

7 (b) He shall appoint the Chief State Highway Engineer, the Assistant
8 State Highway Engineer, and all other Engineers, clerks, assistants and all
9 other officers, employees or agents deemed necessary for the proper administra-
10 tion of the work of the Division of Highways.

11 (c) The Commissioner shall, subject to the approval of the Board of Pub-
12 lic Works, prescribe rules and regulations not inconsistent with the laws of the
13 State, setting forth the organization of the Division for administrative purposes
14 and prescribing the specific powers and duties of the officials and employees
15 therein.

16 (d) The Commissioner shall let all contracts for the construction, im-
17 provement, maintenance or repair of State aid roads and bridges and shall exer-
18 cise all powers with respect to letting contracts as are now exercised by law
19 by the State Highway Commission.

20 (e) The Commissioner shall have authority to approve and determine
21 final plans, specifications and estimates for the construction or maintenance of
22 State aid roads; he shall also approve and determine plans, specifications and
23 estimates prepared for county bridges by the various county superintendents of
24 highways. He shall cause plans, specifications and estimates to be prepared for
25 the repair and improvement of highways and the construction and repair
26 of bridges when such are requested by the county superintendent or the local
27 highway commissioner of a town or road district.

28 (f) He shall conduct or cause to be conducted investigations and experi-
29 ments to determine the proper and most effective methods of highway construc-
30 tion and maintenance and to determine the materials best adapted to various
31 sections of the State for road purposes. He shall collect statistics and other
32 information relating to highways in this and other States. He shall also assist
33 and advise local highway officials in the performance of their duties when such
34 assistance or advice is requested by them.

Sec. 12 STATE HIGHWAY COMMISSION ABOLISHED.] On and after the appoint-
2 ment and qualification of the State Highway Commissioner provided by this

3 Act, the State Highway Commission created by an Act entitled "An Act to re-
4 vise the law in relation to roads and bridges," approved June 27, 1913, shall be
5 and is hereby abolished; and all the powers and duties of said Commission, ex-
6 cept as otherwise provided by this Act, are hereby vested in the said State
7 Highway Commissioner. All the other provisions of the aforesaid Act are hereby
8 continued in full force and effect, except in so far as they are inconsistent
9 with the terms and provisions of this Act.

WATER RESOURCES.

Sec. 13. POWERS OF COMMISSIONER.] The Commissioner of Water Re-
2 sources shall be the executive head of the Division of Water Resources and, as
3 such, shall have general supervision, control and management of the construc-
4 tion, operation and maintenance of the artificial waterways of the State, river
5 and stream improvements on the waters of the State, and all projects of land
6 reclamation and flood prevention undertaken by the State. The Commissioner
7 of Water Resources shall have power to appoint all engineers, clerks, assist-
8 ants, employees and agents as he may deem necessary for the proper adminis-
9 tration of the work of the Division of Water Resources.

Sec. 14. POLLUTION OF STREAMS—ENCROACHMENTS.] The Commissioner of
2 Water Resources shall cause such steps as he may deem necessary to be taken
3 to detect cases of pollution of the streams and other waters of the State and
4 of illegal encroachments upon the lines of said waters. He shall cause regular
5 inspections to be made of the shore lines of Lake Michigan and other import-
6 ant water fronts within the jurisdiction of the State in order to detect and pre-
7 vent such pollution or illegal encroachments. When information concerning cases
8 of alleged encroachment or pollution reaches the Commissioner, through inspec-
9 tion or through complaints from individuals or otherwise, he shall proceed as soon
10 as practicable to cause an investigation to be made, after which he may issue such
11 directions as he may deem necessary to remedy the conditions. For the purpose
12 of conducting the above investigations or for the purpose of obtaining other in-
13 formation relating to water supply, water resources and other subjects relating

14 to the pollution of streams, the Commissioner may request the State Water
15 Survey to supply the desired information; and it is hereby made the duty of
16 the Director of the State Water Survey upon the request of the Commissioner
17 of Water Resources, to furnish all such data it may have available, and, if nec-
18 essary and practicable, to cause special investigations to be conducted for the
19 purpose of obtaining the desired information. Upon refusal or neglect of the
20 offenders to comply with any direction made by the Commissioner of Water Re-
21 sources, the Commissioner shall submit the matter to the Board of Public
22 Works, who shall have power to conduct investigations and hearings and issue
23 orders thereon. In any hearings or investigations concerning the pollution of
24 the waters of the State or encroachments on the water fronts made by the
25 Board of Public Works, the Commissioner or his agent shall submit to the
26 Board all information and data in his possession relating to the alleged of-
27 fense, together with recommendations and conclusions he may have reached
28 after a detailed study of the alleged offense.

Sec. 15. DRAINAGE—RECLAMATION—FLOOD PREVENTION.] All drainage and
2 sanitary districts now existing within the State shall as soon after the passage
3 of this Act as practicable file with the Commissioner of Water Resources the
4 plans and specifications of all drains, ditches, levees or other works of construc-
5 tion. All plans, specifications and estimates for the construction of drains,
6 levees, and ditches for sanitary reclamation or other purposes contemplated by
7 any such districts now organized or which may hereafter be organized, shall
8 be submitted to the Commissioner of Water Resources, and must be approved
9 by him before the work of construction may be begun. In approving or disap-
10 proving of such plans, specifications and estimates the Commissioner may ap-
11 prove the same as they are submitted, or he may approve subject to such altera-
12 tions or changes as he may deem desirable.

Sec. 16. WATER FRONT IMPROVEMENTS.] All plans, specifications and esti-
2 mates for improvements along the shore lines and water fronts of the State to
3 be made by cities, by other municipal corporations, or by private corpora-

4 tions or associations, shall hereafter be first submitted to the Commissioner of
5 Water Resources and approved by him before the work of construction may
6 proceed. Plans and specifications of such improvements as have been made
7 in the past or which are now being made shall, within a reasonable time after
8 this Act shall take effect, be filed in the office of the Commissioner of Water
9 Resources.

Sec. 17. WATER PLANTS—SEWAGE DISPOSAL.] Within one year after this Act
2 shall take effect it shall be the duty of each individual, corporation, city, village
3 or other persons or corporations owning or operating a public water supply or
4 sewage disposal system within the State to file with the Commissioner of Water
5 Resources the plans and specifications of such plants or systems. All plans and
6 specifications for the construction, alteration or improvement of public water
7 supplies or sewage disposal systems shall be submitted to the Commissioner of
8 Water Resources; and no such work shall be undertaken until the plans and
9 specifications have been approved by the said Commissioner.

Sec. 18. AID TO LOCAL OFFICIALS.] It shall be the duty of the Commissioner
2 of Water Resources to aid and advise local officials or others in drawing plans
3 and specifications for the construction, alteration or improvement of drainage
4 systems, water front improvements, public water supplies or sewage disposal
5 plants when such is requested by the local authorities.

Sec. 19. APPEAL TO BOARD OF PUBLIC WORKS.] When the Commissioner of
2 Water Resources withholds his approval of plans for local projects submitted
3 to him in accordance with the foregoing provisions, or in any way alters said
4 plans, appeal may be taken from his decision to the Board of Public Works,
5 who shall grant hearings if such are deemed necessary by the Board.

Sec. 20. RIVERS AND LAKES COMMISSION ABOLISHED.] On and after the ap-
2 pointment and qualification of the Commissioner of Water Resources provided
3 by this Act, the Rivers and Lakes Commission, created by an Act entitled "An
4 Act creating a Rivers and Lakes Commission for the State of Illinois and de-

fining the powers and duties thereof," approved June 10, 1911, shall be and is hereby abolished; and all the powers and duties of said Rivers and Lakes Commission, except as otherwise provided in this Act, are hereby vested in the said Commissioner of Water Resources

ILLINOIS AND MICHIGAN CANAL.

Sec. 21. ILLINOIS AND MICHIGAN CANAL COMMISSIONERS ABOLISHED—TRANSFER OF PROPERTY.] On and after the appointment and qualification of the Commissioner of Water Resources provided by this Act, the canal commissioners provided for by an Act entitled, "An Act to revise the law in relation to the Illinois and Michigan Canal, and for the improvement of the Illinois and Little Wabash Rivers," approved March 27, 1874, shall be and are hereby abolished. All the property rights, title and interest of such canal commissioners in and to the Illinois and Michigan Canal, including basins and appurtenances and the property belonging thereto, and all canal lots and lands, and all locks, dams and other improvements in the Illinois and Wabash Rivers, including unexpended appropriations, shall be and are hereby directed, and are without further process of law vested in the Commissioner of Water Resources, but in the name of and for the use and by the authority of the State of Illinois. The Commissioner of Water Resources shall be and is hereby vested, except as otherwise provided in this Act, with all the powers and duties of said canal commissioners and with general jurisdiction over the Illinois and Michigan Canal, including basins and appurtenances and the property belonging thereto, and all locks, dams and other improvements on the Illinois and Wabash Rivers.

Sec. 22. APPOINTMENT OF CANAL OFFICIALS.] The Commissioner of Water Resources shall have power to appoint a general superintendent of the canal, who shall be an engineer, and such other officers, employees, agents and assistants as may be necessary. The Commissioner shall adopt rules and regulations, subject to the approval of the Board of Public Works, prescribing the powers and duties of the officials appointed by him.

Sec. 23. RULES AND REGULATIONS—TOLLS, ETC.] The Commissioner shall,
2 from time to time, subject to the approval of the Board of Public Works, es-
3 tablish rates of tolls and rules and regulations governing the administration of
4 the canal and canal properties.

Sec. 24. CUSTODY OF FUNDS.] All moneys received from tolls, rents, leases
2 sale of property or from any other source in connection with the management
3 of the Illinois and Michigan Canal shall be covered monthly into the State
4 Treasury; and a detailed statement thereof shall be made monthly by the Com-
5 missioner of Water Resources to the Auditor of Public Accounts. The moneys
6 so covered into the State Treasury, as aforesaid, shall be placed to the credit
7 of a special fund in the State Treasury, to be known as the "Illinois and
8 Michigan Canal Fund," which shall from time to time be appropriated for the
9 maintenance and improvement of such canal and for no other purpose. For
10 convenience in caring and accounting for such fund a deputy State Treasurer
11 may be designated by the State Treasurer.

FISH AND GAME CONSERVATION.

Sec. 25. GAME AND FISH CONSERVATION COMMISSION ABOLISHED.] On and
2 after the appointment and qualification of the Fish and Game Commissioner
3 provided by this Act, the Game and Fish Conservation Commission created by
4 an Act entitled, "An Act for the conservation of game, wild fowl, birds and
5 fish in the State of Illinois, for the appointment of a Commission and staff for
6 the enforcement thereof and to repeal certain Acts relating thereto," ap-
7 proved June 23, 1913, shall be and is hereby abolished.

8 The Fish and Game Commissioner shall be the executive head of the Divi-
9 sion of Fish and Game Conservation and, as such, shall be responsible for
10 the enforcement of the fish and game laws of the State and for the conserva-
11 tion of game, wild fowl, birds and fish. He shall have general supervision
12 and control of all fish hatcheries, fish ponds, fish preserves and of the State
13 game farm, and shall exercise all powers and perform all duties heretofore

14 vested in the said Game and Fish Conservation Commission, except as other-
15 wise provided in this Act.

Sec. 26. DISTRICT WARDENS.] The Fish and Game Commissioner shall
2 divide the State into convenient districts and sub-districts for the proper en-
3 forcement of the fish and game laws; and he shall appoint wardens, deputy
4 wardens and temporary deputy wardens within each district. The compensa-
5 tion, powers and duties of the wardens, district wardens and deputy district
6 wardens shall remain the same as under the existing laws of the State.

Sec. 27. FISH AND GAME LAWS CONTINUED.] All the laws of the State re-
2 lating to fish and game shall continue in full force and effect, except in so far
3 as they are inconsistent with the terms and provisions of this Act.

STATE PARKS.

Sec. 28. SUPERINTENDENT OF PARKS.] There is hereby established the office
2 of Superintendent of State Parks, who shall be appointed by the Board of
3 Public Works and shall serve for a term of four years, and until his successor
4 is chosen and qualified. He shall be entitled to a salary of \$3,000 per annum.

Sec. 29. POWERS AND DUTIES OF SUPERINTENDENT.] The Superintendent of
2 State Parks shall exercise the following powers and duties:

3 (a) He shall have supervision and care of the Starved Rock State Park,
4 Fort Massac Parks and of all other State parks now established or which may
5 hereafter be authorized; and of all monuments within or without the State,
6 erected in whole or in part from funds appropriated by the State, except as
7 otherwise provided in this Act.

8 (b) He shall, subject to the approval of the Board of Public Works,
9 make rules and regulations relating to the care, use and maintenance of the
10 State parks and monuments.

11 (c) He shall plan, lay out, construct and maintain roads, paths, bridle
12 paths, boulevards, walks and bridges in the State parks, and devise and ex-
13 ecute plans for the ornamentation and beautification of State parks.

14 (d) He shall make investigations and recommendations with reference to
15 the desirability of establishing additional State parks and plan the develop-
16 ment of a systematic park system for the State.

17 (e) Subject to the approval of the Board of Public Works he shall pur-
18 chase and acquire land for park purposes.

19 (f) He shall employ custodians, keepers, clerks, assistants, laborers and
20 other employees as may be necessary and desirable to carry out the provi-
21 sions of this Act, and shall determine their respective powers and duties.

22 (g) He may lease lands of premises within the limits of any State park
23 when such lands or premises are not needed for park purposes.

Sec. 30. POLICE POWERS.] The Superintendent of State parks, custodians,
2 keepers and assistants are hereby vested with police power to enforce the laws
3 of the State of Illinois in all State parks. All laws relating to the destruction
4 of trees, guide posts, etc., in State parks, and the sale of intoxicating liquors
5 within the limits of State parks and all other laws relating to State parks not
6 inconsistent with the provisions of this Act, shall remain in full force and effect.

Sec. 31. BOARDS ABOLISHED.] On and after the appointment and qualifi-
2 cation of the Superintendent of State Parks provided for by this Act, the Fort
3 Massac Trustees, constituted by an Act entitled "An Act appropriating money
4 to purchase and perpetuate the historic Fort Massac as a State Park," ap-
5 proved May 15, 1903, and the Illinois Park Commission created by an Act en-
6 titled "An Act in relation to the acquisition, control, maintenance, improve-
7 ments and protection of State parks and making an appropriation to carry into
8 effect the provisions of this Act," approved June 10, 1911, shall be and are
9 hereby abolished; and all the powers and duties of said Fort Massac Trustees
10 and Illinois Park Commission are hereby vested in said Superintendent of
11 State Parks, except as otherwise provided by this Act.

STATE ART COMMISSION.

Sec. 32. STATE ART COMMISSION CONTINUED.] The State Art Commission
2 established by an Act entitled, "An Act to create a State Art Commission and

3 to define its powers and duties," approved June 4, 1909, is hereby continued;
4 with all the powers and duties authorized and imposed by said Act.

Sec. 33. ADDITIONAL POWERS AND DUTIES.] When required by the Governor,
2 the State Art Commission is also authorized to have prepared and submitted
3 to the Governor and General Assembly and to the several officials or wards in
4 charge of the erection of buildings, monuments, memorials and other structures
5 and works of art, plans and designs approved by said Art Commission for such
6 structures and works of art and with the co-operation of the officials or boards
7 in charge of any State institution or class of State institutions, the said Art
8 Commission is authorized to have prepared general plans and designs, for the
9 future development of the buildings and grounds of any such State institution
10 or class of institutions.

CUSTODY OF PUBLIC BUILDINGS AND PROPERTY.

Sec. 34. SUPERINTENDENT OF PUBLIC BUILDINGS.] There is hereby created the
2 office of Superintendent of Public Buildings.

3 Within thirty days after this Act shall take effect, the Governor shall, by
4 and with the advice and consent of the Senate, appoint a Superintendent of
5 Public Buildings, who shall hold office until January 15, 1917, and until his
6 successor is appointed and qualified. If the Senate is not in session, the Gov-
7 ernor shall make a temporary appointment as in the case of a vacancy. On, or
8 before January 15, 1917, and every four years thereafter, the Governor, by and
9 with the advice and consent of the Senate, shall appoint a Superintendent of
10 Buildings, who shall hold office for four years from January 15, of the year
11 of his appointment, and until his successor is appointed and qualified.

Sec. 35. BOND—OATH—SALARY.] Before entering on the duties of his office,
2 the Superintendent of Public Buildings shall furnish a bond, in such sum as
3 shall be determined by the Governor, conditioned on the faithful perfor-
4 mance of his duties, which shall be approved as to its form by the Attorney Gen-
5 eral, and as to its sufficiency by the Governor. He shall also take the constitu-
6 tional oath of office.

7 The Superintendent of Public Buildings shall receive a salary of \$3,000 per
8 annum, payable monthly.

Sec. 36. POWERS AND DUTIES.] The Superintendent of Public Buildings
2 shall have the following powers and duties:

3 (a) He shall have general supervision and care of the State Capitol and
4 grounds, the executive mansion, State Supreme Court Building, Arsenal, and
5 all other public buildings of the State situated in the city of Springfield.

6 (b) He shall have general supervision and care of any and all buildings
7 that may be erected and over such parts of buildings as may be leased by the
8 State in any part of the State for the purpose of furnishing office space for
9 State officers, departments, offices, boards or commissions.

10 (c) With the approval of the Governor, he shall allot office space to the
11 various departments, bureaus and offices of State government in the State Cap-
12 itol and in other buildings owned or leased by the State for such purposes.

13 (d) Subject to the approval of the Governor, he shall be authorized to
14 enter into leases on behalf of the State, for space in buildings for the use of
15 State offices, departments, boards and commissions.

16 (e) Subject to the approval of the Governor, he shall be authorized to
17 make contracts for telegraph and telephone service for the General Assembly
18 and for State departments, officers, boards and commissions in or near the
19 State Capitol, or in any building owned or leased in whole or in part by the
20 State for office purposes.

21 (f) Subject to the approval of the Governor, he shall be authorized to
22 make contracts for fuel, furniture and other office equipment, for the use of the
23 General Assembly, or of State officers, boards and commissions in the State
24 Capitol or in any other building of which he has the care and supervision. Such
25 contracts shall be made only after public advertisement for bids stating the
26 amounts and quality of each kind of fuel, furniture or equipment; and all bids
27 shall be publicly opened by the Superintendent of Buildings, in the presence of
28 the Governor, at a time specified in such advertisement.

29 (g) He shall take charge of all fuel furnished under such contracts. At
 30 the close of each session of the General Assembly, he shall take charge of all
 31 tables, chairs, desks and other furniture and equipment of the two houses
 32 thereof; and shall not permit the same to be wasted, nor to be used for any
 33 other than public purposes during the recess of the General Assembly, except
 34 with the approval of the Governor.

35 (h) He shall keep an accurate account of all fuel, furniture and other
 36 equipment received by him, by contract or otherwise, for the use of the State,
 37 and of all such articles furnished by him to the General Assembly and to each
 38 of the State officers, departments, boards and commissions.

39 (i) He shall have power to appoint necessary custodians, janitors, me-
 40 chanics, assistants and other employees.

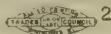
Sec. 37. TRANSFER OF PROPERTY.] On the appointment and qualification of
 2 the Superintendent of Public Buildings, as provided in this Act, the Secretary
 3 of State and other State officers, boards and commissions, shall transfer and
 4 deliver to the custody of said Superintendent of Public Buildings all buildings
 5 and other property placed in charge of said Superintendent of Public Buildings
 6 by this Act; and the Secretary of State and such other State officers, boards
 7 and commissions shall be relieved of their powers and duties in relation to the
 8 care of such buildings and other property.

Sec. 38. LINCOLN HOME AND LINCOLN MONUMENT.] The Superintendent of
 2 Public Buildings shall have supervision and care of the maintenance and upkeep
 3 of the Lincoln Home and Lincoln Monument in the city of Springfield. On the
 4 appointment and qualification of the Superintendent of Public Buildings as pro-
 5 vided in this Act, the Board of Trustees of the Lincoln Home and the Board
 6 of Trustees of Lincoln Monument are hereby abolished and all powers and
 7 duties heretofore vested in said boards are hereby transferred to the Superin-
 8 tendent of Public Buildings.

GENERAL PROVISIONS.

Sec. 39. **REPORTS.]** On or before November first before each regular session of the General Assembly, the State Highway Commission, the Commission of Water Resources, the Fish and Game Commissioner, the Superintendent of State Parks, the Superintendent of Public Buildings and the State Art Commission shall each prepare and submit to the Board of Public Works, for transmission to the Governor, a report of the work of his or its office for the two preceding years, with a financial statement showing the revenues and expenditures of the office for the two fiscal years preceding the date of the report, estimates of revenues and expenditures for the current fiscal year, and estimates of revenues and appropriations requested for the two following years.

Sec. 40. **REPEAL.]** On and after the date when this Act shall take effect, “An Act creating the office of supervising architect of the State of Illinois and defining his powers and duties,” approved April 24, 1899, and all Acts amendatory thereto shall be and is hereby repealed.



1 Introduced by Mr. Rothschild, April 1, 1915.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to create a department of trade and commerce and to define its powers
and duties.

ORGANIZATION AND POWERS OF THE DEPARTMENT.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* DEPARTMENT OF TRADE AND COMMERCE—DIVI-
3 SIONS.] That there is hereby created an executive department of Trade and
4 Commerce, which shall consist of the following divisions: the Public Utilities
5 Commission; the Division of Insurance, and a Division of Corporations.

Sec. 2. SECRETARY OF TRADE AND COMMERCE—MEETINGS OF DIVISION OFFICERS.]
2 The chairman of the State Public Utilities Commission shall be ex-officio Secre-
3 tary of Trade and Commerce and head of the department. The Secretary of
4 Trade and Commerce shall have power and it shall be his duty to exercise gen-
5 eral supervision over the work of the divisions as above constituted, for the
6 purpose of establishing and enforcing so far as practicable, uniform methods of
7 procedure, uniform systems of accounting on the part of persons, associations
8 and corporations subject to their jurisdiction, uniform reports, and uniform

9 rules and regulations for the guidance of the several divisions of the depart-
10 ment.

11 For the purpose of establishing and enforcing uniformity of regulations and
12 procedure the Secretary of Trade and Commerce shall consult with and advise
13 the Public Utilities Commission and the heads of the other divisions of the de-
14 partment. In order that the work of the several divisions of the department may
15 be operated efficiently and the work of each division properly co-ordinated with
16 that of the other divisions, the Secretary of Trade and Commerce shall arrange
17 for regular meetings with representatives of the divisions of the department. At
18 all such meetings the Public Utilities Commission shall be represented by some
19 one of its members, in addition to the chairman, designated by the commission
20 for this purpose; and each of the other divisions shall be represented by the
21 chief officer thereof or by his official representative.

22 The Secretary of the Public Utilities Commission, shall in addition to his
23 other duties, act as secretary and keep a record of the meetings of the repre-
24 sentatives of the divisions. The conclusions and findings of such meetings shall
25 be a matter of record, but shall not be mandatory upon the secretary of the de-
26 partment or any of its divisions. Before issuing any general order providing
27 for uniformity in procedure or in rules and regulations, the secretary shall call
28 a meeting of the representatives of the divisions, and present the subjects
29 under consideration to such meeting for discussion. Both the recommendations
30 of the meetings of the representatives of the divisions and the orders of the
31 secretary shall be published in the biennial reports of the department.

Sec. 3. APPOINTMENTS—CIVIL SERVICE—TRANSFER.] All appointments to offi-
2 ces and employments in the department of Trade and Commerce and its several
3 divisions shall be made subject to the provisions of an Act entitled 'An Act to reg-
4 ulate the civil service of the State of Illinois,' approved May 11, 1905, in force
5 July 1, 1905, as amended: *Provided*, that the Governor shall have power by
6 order to exempt from the classified civil service such positions of administrative
7 responsibility as it is found to be impracticable to fill by competitive examina-

tion. All officers and employees in the corporation department of the Secretary of State, and under the Insurance Superintendent and the Public Utilities Commission in the classified civil service shall be continued in such classified civil service in the appropriate division of the department of Trade and Commerce created by this Act.

Sec. 4. BIENNIAL REPORT.] The Secretary of Trade and Commerce shall prepare and submit to the Governor not later than December first before each regular session of the General Assembly, a report of the work of the department and of its several divisions, with a financial statement of revenues and expenditures for the two fiscal years preceding the date of the report, estimates of revenues and expenditures for the current fiscal year, and estimates of revenues and of appropriations requested for the two following fiscal years, and with such recommendations as he may deem necessary. Such report shall be transmitted to the General Assembly and shall be printed and distributed as provided by law.

DIVISION OF CORPORATIONS.

Sec. 5. DIVISION OF CORPORATIONS.] There shall be established a division in the department of Trade and Commerce, which shall be known as the Division of Corporations. The Division of Corporations shall be charged, under the general supervision of the Secretary of Trade and Commerce as provided in this Act, with the execution of all laws now in force or which shall hereafter be enacted in relation to the incorporation and regulation of all private corporations except as otherwise provided by law.

Sec. 6. COMMISSIONER OF CORPORATIONS.] The chief officer of the Division of Corporations shall be styled the Commissioner of Corporations. Within thirty days after this Act shall take effect the Governor, by and with the advice and consent of the Senate, shall appoint a Commissioner of Corporations. If the Senate is not in session, the Governor shall make a temporary appointment as in the case of a vacancy. Such commissioner shall hold office until January 15, 1917, and until his successor is appointed and qualified. On or before January

8 15, 1917, and every four years thereafter, the Governor, by and with the advice
 9 and consent of the Senate, shall appoint his successor, who shall hold office for
 10 a term of four years from January 15, in the year of his appointment and un-
 11 til his successor is appointed and qualified.

12 Whenever a vacancy occurs in the office of the Commissioner of Corpora-
 13 tions, either by resignation or otherwise, such vacancy shall be filled for the un-
 14 expired portion of the term by appointment by the Governor, by and with the ad-
 15 vice and consent of the Senate: *Provided*, that if any vacancy occurs during a
 16 recess of the Senate, the Governor may make a temporary appointment until the
 17 next meeting of the Senate.

Sec. 7. OATH—BOND—SALARY—QUALIFICATIONS.] Before entering upon the
 2 discharge of his duties the Commissioner of Corporations shall take and sub-
 3 scribe to the constitutional oath of office; and shall give a bond to the State of
 4 Illinois in the penal sum of \$100,000, conditioned upon the faithful discharge of
 5 his duties, which bond shall be approved as to its form by the Attorney Gen-
 6 eral, and as to its sufficiency by the Governor. The annual salary of the Com-
 7 missioner of Corporations shall be \$5,000, payable monthly.

8 No person in the employ of, or holding any official relation to any corpora-
 9 tion, subject to supervision or regulation by the Commissioner of Corporations
 10 shall be appointed to or hold the office of Commissioner or be appointed or em-
 11 ployed by the Commissioner.

12 Any person appointed as Commissioner of Corporations shall prepare and
 13 submit with his bond a statement under oath of all his financial interests in
 14 any corporation subject to his supervision and regulation at the time of his ap-
 15 pointment; and shall promptly file a similar statement as to any such interests
 16 thereafter acquired during his term of office.

Sec. 8. OFFICE—STATIONERY—SEAL.] The Commissioner of Corporations
 2 shall be assigned suitable rooms in the State Capitol, and shall be furnished with
 3 necessary printing, stationery and supplies. The office of the Commissioner of

4 Corporations shall be deemed a public office; and the records, books, papers
5 and other documents shall be public records.

6 The Division of Corporations shall have an official seal of such form as the
7 Commissioner of Corporations may prescribe, subject to the approval of the
8 Secretary of Trade and Commerce, which seal shall contain the words: "The
9 State of Illinois, Department of Trade and Commerce, Division of Corpora
10 tions," and a copy of the seal shall be filed in the office of the Secretary of State.
11 Every certificate and other document or paper executed by the said Commis-
12 sioner of Corporations in pursuance of any authority conferred upon him by law,
13 and sealed with the seal of the Division shall be prima facie evidence in suits
14 at law; and all copies of papers certified by him and authenticated by said seal
15 shall in all cases be evidence equally and in like manner as the original thereof,
16 and shall have the same force and effect as the originals would in any suit or
17 proceeding in any court of this State.

Sec. 9. POWERS AND DUTIES.] The Commissioner of Corporations shall pos-
2 sess and have all the powers and he shall perform all the duties relating to
3 general corporations as are now attached by law to the office of Secretary of
4 State, except in so far as modified by the provisions of this Act. He shall exer-
5 cise the same control over the incorporation and regulation of general corpora-
6 tions, and shall collect all fees, fines and penalties, and may institute and
7 prosecute in his name all suits and do all things heretofore required by the laws
8 of this State to be done by the Secretary of State, so far as they relate to the
9 subjects above specified. The Secretary of State is hereby relieved from any
10 power or duty heretofore granted to or imposed upon him by any law of this
11 State in relation to such matters; and the said Commissioner of Corporations
12 is hereby fully authorized and empowered from and after the date of his appoint-
13 ment and qualification as such Commissioner to perform the same.

Sec. 10. TRANSFER OF RECORDS.] The records, books and papers and other
2 documents relating to corporations in the office of the Secretary of State, except
3 as otherwise provided in this Act, shall be transferred to the Commissioner

4 of Corporations, on demand in writing, and kept in the Division of Corpora-
5 tions and transferred to his successor and there kept as a part of the records
6 of the office.

Sec. 11. FEES.] There shall be paid to the Commissioner of Corporations
2 by every corporation to which this article of the Act shall apply, the same fees
3 as have been heretofore paid to the Secretary of State. The Commissioner of
4 Corporations shall give a receipt, such receipts to be numbered consecutively
5 during each year, in each case to the corporation, and he shall preserve a rec-
6 ord of the same; and he shall transmit the preceeds for each month to the State
7 Treasurer not later than the tenth day of the following month in the manner
8 provided by law.

Sec. 12. REPORTS.] The Commissioner of Corporations shall make, not later
2 than November first, before each regular session of the General Assembly, a re-
3 port to the Secretary of Trade and Commerce, which shall be transmitted by the
4 latter to the Governor with comments and recommendations. The report shall
5 contain a statement in regard to the work of the Division for the preceding bi-
6 ennial period, with recommendations of the Commissioner of Corporations to
7 the Governor and the General Assembly, and a financial statement showing the
8 revenues and expenditures of the Division for the two fiscal years preceding the
9 date of the report, an estimate of the revenues and expenditures for the current
10 fiscal year, and an estimate of revenues and of appropriations requested for
11 the two following fiscal years. The Commissioner of Corporations shall also
12 make such other reports, from time to time, as may be required by the Secre-
13 tary of Trade and Commerce or the Governor.

Sec. 13. APPOINTMENTS.] The Commissioner of Corporations shall have
2 power to appoint such examiners, assistants, clerks, stenographers and other em-
3 ployees as may be necessary for the proper conduct of the Division.

DIVISION OF INSURANCE.

Sec. 14. DIVISION OF INSURANCE.] The Insurance Department of the State
2 of Illinois shall become a division of the department of Trade and Commerce,
3 and shall hereafter be known and styled as the Division of Insurance. The
4 Division of Insurance shall be charged, under the general supervision of the
5 Secretary of Trade and Commerce, with the execution of all laws now in force
6 or which shall hereafter be enacted in relation to the organization, incorpora-
7 tion, supervision and regulation of all insurance companies, including corpora-
8 tions, mutual societies, Lloyds, Inter-insurers, partnerships and individuals,
9 whether organized under the laws of the State, or organized under the laws of
10 other states and countries, and operating under the laws within the State.

Sec. 15. COMMISSIONER OF INSURANCE.] The Insurance Superintendent shall
2 be the chief officer of the Division of Insurance; and shall on and after the
3 passage of this Act be known and styled as the Commissioner of Insurance.
4 On or before January 15, 1917 and every four years thereafter, the Governor,
5 by and with the advice and consent of the Senate, shall appoint a Commissioner
6 of Insurance, such Commissioner to hold office for a term of four years from
7 January 15 in the year of his appointment and until his successor is appointed
8 and qualified. Whenever a vacancy occurs in the office of Commissioner of
9 Insurance either by resignation or otherwise, such vacancy shall be filled for the
10 unexpired portion of the term by appointment by the Governor, by and with the
11 advice and consent of the Senate: *Provided*, that if any vacancy occurs during
12 a recess of the Senate, the Governor may make a temporary appointment until
13 the next meeting of the Senate.

Sec. 16. OATH—QUALIFICATION—BOND—SALARY.] Before entering upon the
2 discharge of his duties the Commissioner of Insurance shall take and subscribe
3 to the constitutional oath of office.

4 The Commissioner of Insurance shall devote his entire time to the duties
5 of his office, and shall hold no other office or position of profit, or engage in
6 any other business, employment or vocation during his term of office. No per-
7 son in the employ of, or holding any official relation to any corporation, associa-

tion, firm, society or person subject in whole or in part to regulation by the Commissioner of Insurance, and no person holding stocks or bonds in any such corporation shall be appointed to or hold the office of Commissioner or be appointed or employed by the Commissioner; and if any such person shall voluntarily become so interested his office or employment shall *ipso-facto* become vacant: *Provided*, that if any officer or employee become so interested otherwise than voluntarily he shall within a reasonable time divest himself of such interest, and if he fails to do so his office or employment shall become vacant.

Neither the Commissioner, nor any person appointed or employed by the Commissioner shall solicit or accept any gift, gratuity, emolument or employment from any person, firm, society, association or corporation subject to the supervision of the Commissioner, or from any officer, agent or employee thereof; nor solicit, request from or recommend, directly or indirectly to any such person, firm, society, association or corporation, or to any officer, agent, or employee thereof, the appointment of any person to any place or position. And every such person, firm, society, association and corporation, and every officer, agent or employee thereof, is hereby forbidden to offer to the Commissioner, or to any person appointed or employed by the Commissioner, any gift, gratuity, or emolument. If the Commissioner or any person appointed or employed by him shall violate any provisions of this paragraph, he shall be removed from the office of employment held by him. Every person violating the provisions of this paragraph shall be guilty of a misdemeanor.

Before entering upon the duties of his office, the Commissioner of Insurance shall give a bond to the State of Illinois, in the penal sum of \$100,000, conditioned upon the faithful discharge of his duties, which bond shall be approved as to its form by the Attorney General, and as to its sufficiency by the Governor.

Every person appointed by the Commissioner of Insurance to any office of trust, may in the discretion of said Commissioner before entering upon the duties of his office be required to give bond for the faithful discharge of his du-

38 ties, in such sum as the Commissioner may designate, which bond shall be ap-
39 proved by the Commissioner.

40 The annual salary of the Commissioner of Insurance from and after January
41 15, 1917 shall be \$6,000, payable monthly.

Sec. 17. OFFICE—STATIONERY—SEAL.] The Division of Insurance shall oc-
2 cupy the rooms in the State Capitol now assigned to the Insurance Department,
3 and such additional rooms from time to time shall be assigned to the Division
4 of Insurance as the needs of the Division may demand. The Commissioner of
5 Insurance shall be furnished with necessary printing, stationery and supplies.

6 The office of the Commissioner of Insurance shall be deemed a public office
7 and the records, books, papers and other documents shall be public records.

8 The Division of Insurance shall have an official seal of such form as the
9 Commissioner of Insurance may prescribe, subject to the approval of the Secre-
10 tary of Trade and Commerce, which shall contain the words: "The State of
11 Illinois, Department of Trade and Commerce, Division of Insurance," and the
12 seal of the Division shall be filed in the office of the Secretary of State. Every
13 certificate and other document and paper executed by the said Commissioner
14 of Insurance, in pursuance of any authority conferred upon him by law, and
15 sealed with the seal of the Division shall be prima facie evidence in suits at law;
16 and all copies of papers certified by him and authenticated by said seal shall
17 in all cases be evidence in like manner as the originals thereof, and shall have
18 the same force and effect as the originals would in any suit or proceedings in
19 any court in this State.

Sec. 18. POWERS AND DUTIES.] The Commissioner of Insurance shall have
2 and exercise all the powers and he shall perform all the duties relating to in-
3 surance now vested in the Insurance Superintendent, it being the intent of this
4 Act to continue the department of insurance, as the Division of Insurance in
5 the department of Trade and Commerce created by this Act.

Sec. 19. SUPERVISION OF TITLE GUARANTEE COMPANIES TRANSFERRED.] The
2 Commissioner of Insurance shall be vested with all the powers and duties vested

3 in the Auditor of Public Accounts by an Act entitled, "An Act to provide for and
4 regulate the business of guaranteeing titles to real estate by corporations," ap-
5 proved May 31, 1901; and the Auditor of Public Accounts is hereby relieved
6 from any power or duty heretofore imposed upon him by such Act or by any
7 other law of this State in relation to companies for guaranteeing the titles to
8 real estate; and he is hereby directed, upon written demand, to turn over to the
9 Commissioner of Insurance all books, records, papers and other property con-
10 nected with title guarantee companies.

Sec. 19. INCORPORATION OF ASSESSMENT LIFE AND ACCIDENT COMPANIES TRANS-
2 FERRED.] The Commissioner of Insurance shall be vested with all the powers
3 and duties vested in the Secretary of State relating to the filing of articles
4 of association and the issue of certificates of incorporation for companies and
5 corporations organized for the purpose of transacting the business of life or
6 accident insurance upon the assessment plan, as provided by "An Act to in-
7 corporate companies to do the business of life or accident insurance on the as-
8 sessment plan, and to control such companies of this State and of other states
9 doing business in this State, and to repeal a certain Act therein named, and pro-
10 viding and fixing the punishment for violation of the provisions thereof," ap-
11 proved June 22, 1893, and Acts amendatory thereto; and the Secretary of State
12 is hereby relieved of any power or duty heretofore imposed upon him by such
13 Act or by any other law of this State in relation to such insurance companies;
14 and is hereby directed, upon written demand, to turn over to the Commissioner
15 of Insurance all books, records, papers and other property relating to such in-
16 surance companies.

Sec. 20. ORGANIZATION OF DIVISION OF INSURANCE.] The Commissioner of
2 Insurance shall have power upon consultation with and the approval of the
3 Secretary of Trade and Commerce, to organize the work of the Division into
4 separate bureaus, and to appoint competent persons as heads of such bureaus.
5 He shall have power to appoint assistants in each bureau, including examiners,

6 statisticians, accountants, actuaries, appraisers, engineers, clerks, stenograph-
7 ers, and such other employees as may be necessary for the proper conduct of
8 such bureaus.

Sec. 21. FEES.] There shall be paid to the Commissioner of Insurance by
2 every person, firm, association, society and corporation, subject to supervision
3 and regulation by the Commissioner of Insurance, such fees, fines and penal-
4 ties as are prescribed by law. The Commissioner of Insurance shall give a re-
5 ceipt in each case, such receipts to be numbered consecutively each year to the
6 person, firm, association, society or corporation paying the same, and the said
7 Commissioner shall preserve a record of such fees, fines and penalties, credit-
8 ing each to the proper source; and he shall transmit the proceeds for each
9 month to the State Treasurer not later than the tenth day of the following
10 month in the manner*provided by law.

Sec. 22. REPORTS.] The Commissioner of Insurance shall make, not later
2 than November 1, before the beginning of each regular session of the General
3 Assembly, a report to the Secretary of Trade and Commerce, which shall be
4 forwarded by the latter together with any comments and recommendations
5 that he may think proper to make to the Governor for transmission to the
6 General Assembly, and such reports shall be published as provided by law.
7 Such reports shall contain statistical tables and statements showing the status
8 of insurance and insurance companies doing business under the laws of the
9 State, a comprehensive summary of the work of the Division for the preceding
10 year, with recommendations to the Governor and the General Assembly, and a
11 financial statement showing the revenues and expenditures of the Division for
12 the two fiscal years preceding the date of the report, an estimate of the rev-
13 enues and expenditures for the current fiscal year, and an estimate of revenues
14 and of appropriations requested for the two following fiscal years.

15 The Commissioner of Insurance shall also publish annually a summary of

16 the annual financial statements of insurance companies, and shall make such
 17 other reports, from time to time, as may be required by the Secretary of Trade
 18 and Commerce or by the Governor.

PUBLIC UTILITIES DIVISION.

Sec. 23. PUBLIC UTILITIES COMMISSION—POWERS.] The State Public Utilities
 2 Commission is hereby constituted a Division of the Department of Trade and
 3 Commerce. The State Public Utilities Commission shall be charged, under
 4 the general supervision of the Secretary of Trade and Commerce, as provided
 5 by this Act, with the execution of the laws relating to Public Utilities, as provid-
 6 ed in an Act entitled “An Act to provide for the regulation of public utilities,”
 7 approved June 30, 1913, in force January 1, 1914, and by any other laws of this
 8 State. The Public Utilities Commission shall also have the authority to incor-
 9 porate all corporations subject to its jurisdiction by the aforesaid Act of 1913,
 10 and for this purpose may establish a separate bureau of the Commission under
 11 the immediate direction of a chief of the Bureau of Charters.

Sec. 24. TRANSFER OF POWERS OVER INCORPORATION.] The Secretary of State
 2 is hereby relieved from any duty heretofore imposed upon him by, any law of
 3 this State in relation to the incorporation of all classes of Public Utility Cor-
 4 porations as defined in Article 1, Section 10 of an Act entitled, “An Act to pro-
 5 vide for the regulation of Public Utilities,” approved June 30, 1913, in force
 6 January 1, 1914; or of examining and receiving reports from such public utili-
 7 ties. And the said Secretary of State is hereby directed, upon the written de-
 8 mand of the Public Utilities Commission, to turn over to the said Commission-
 9 er all books, records, papers, and other property connected with the incorpora-
 10 tion and reports of public utility corporations as above described, and all such
 11 books, records, papers and other property shall be hereafter kept in the office
 12 of the Public Utilities Commission.

Sec. 25. FEES.] There shall be paid to the Public Utilities Commission by
 2 all Public Utility Corporations such fees, fines and penalties as are prescribed

3 by law for incorporation, reports and examinations, and all other fees now re-
4 quired by law. The Commission shall in each case give a receipt—such re-
5 cepts to be numbered consecutively during each year—to the public utility cor-
6 poration paying the same; and the said commission shall account for such fees
7 as provided in Article 1, Section 7 of an Act entitled, “An Act to provide for
8 the regulation of public utilities,” approved June 30, 1913, in force January 1,
9 1914, and shall transmit the proceeds for each month to the State Treasurer
10 not later than the tenth day of the following month in the manner provided by
11 law.

Sec. 26. SALARIES.] From and after the date when this Act takes effect,
2 the annual salary of the Chairman of the State Public Utilities Commission
3 shall be seven thousand five hundred (\$7,500) dollars, and the annual salaries of
4 the other members of the State Public Utilities Commission shall be six thou-
5 sand (\$6,000) dollars, payable monthly.

- 1 Introduced by Mr. Rothschild, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to establish a division of banking in the Department of Trade and Commerce.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* DIVISION OF BANKING ESTABLISHED.] There
3 shall be established a division of the department of Trade and Commerce which
4 shall be known as the Division of Banking. The Division of Banking shall be
5 charged, under the general supervision of the Secretary of Trade and Com-
6 merce with the execution of all laws now in force or which shall hereafter
7 be enacted in relation to the incorporation, supervision and regulation of all
8 banks, trust companies, building and loan associations, pawnbrokers' societies, wage
9 loan corporations, and other institutions with banking powers.

Sec. 2. COMMISSIONER OF BANKING.] The chief officer of the Division of
2 Banking shall be styled the Commissioner of Banking. On or before January
3 15, 1917, and every four years thereafter, the Governor, by and with the advice

4 and consent of the Senate, shall appoint a person experienced in banking and
 5 finance as Commissioner of Banking, who shall hold office for a term of four
 6 years, from January 15, in the year of his appointment and until his successor
 7 is appointed and qualified.

8 Whenever a vacancy occurs in the office of Commissioner of Banking,
 9 either by resignation, or otherwise, such vacancy shall be filled for the unexpired
 10 portion of the term by appointment by the Governor, by and with the advice
 11 and consent of the Senate: *Provided*, that if any vacancy occurs during a recess
 12 of the Senate, the Governor may make a temporary appointment until the next
 13 meeting of the Senate.

Sec. 3. OTHER OFFICERS AND EMPLOYEES — CIVIL SERVICE — TRANSFERS.] The
 2 Commissioner of Banking shall have power to appoint a Chief Clerk, a Chief
 3 Examiner of Banks and Trust Companies, and a Chief Examiner of Building
 4 and Loan Associations. He shall also have power to appoint such accountants,
 5 engineers, appraisers, examiners, experts, inspectors, clerks, stenographers, and
 6 other employees as may be deemed necessary to enforce the provisions of the
 7 law. Such positions shall be included in the classified civil service of the State,
 8 and shall be subject to the provisions of an Act entitled, "An Act to regulate
 9 the civil service of the State of Illinois," approved May 11, 1905, in force July
 10 1, 1905, as amended: *Provided*, that the Governor shall have power by order
 11 to exempt from the classified civil service such positions of administrative re-
 12 sponsibility as it is found to be impracticable to fill by competitive examina-
 13 tion. All employees in the banking and building and loan departments of the
 14 Auditor of Public Accounts in the classified civil service shall be continued in
 15 such classified civil service in the Division of Banking of the department of
 16 Trade and Commerce, created by this Act.

Sec. 4. OATH—QUALIFICATION—BOND—SALARY.] Before entering upon the
 2 discharge of his duties the Commissioner of Banking shall take and subscribe
 3 to the constitutional oath of office, to be filed in the office of the Secretary of
 4 State. The Commissioner shall devote his entire time to the duties of his

5 office, and shall hold no other office or position of profit, or engage in any other
6 business, employment or vocation during his term of office. No person in the
7 employ of, or holding any official relation to any corporation, association,
8 power or person subject in whole or in part to regulations by the Commissioner
9 of Banking, and no person holding stocks or bonds in any such corporation shall
10 be appointed to or hold the office of Commissioner; and if any such person shall
11 voluntarily become so interested his office or employment shall *ipso facto* become
12 vacant: *Provided*, that if any person becomes so interested otherwise than volun-
13 tarily, he shall within a reasonable time divest himself of such interest, and if
14 he fails to do so his office or employment shall become vacant. No Commis-
15 sioner nor person appointed or employed by the Commissioner shall solicit
16 or accept any gift, gratuity, emolument, or employment from any person, firm,
17 association or corporation subject to the Commissioner or from any officer,
18 agent, or employee thereof; nor solicit, request from or command, directly or in-
19 directly, to any such person, firm, association or corporation, or to any officer,
20 agent or employee thereof, the appointment of any person to any place or posi-
21 tion. And every such person, firm, association and corporation, and every offi-
22 cer, agent or employee thereof, is hereby forbidden to offer to the Commission-
23 er or to any person appointed or employed by the Commissioner any gift, grat-
24 uity, or emolument. If the Commissioner or any person appointed or employed
25 by him shall violate any provision of this paragraph he shall be removed from
26 office or employment held by him.

27 Before entering upon the duties of his office, the Commissioner of Banking
27½ shall give a bond to the State of Illinois, with security in the sum of \$50,000
28 conditioned upon the faithful discharge of his duties, which bond shall be ap-
29 proved as to its form by the Attorney-General and as to its sufficiency by the
30 Governor. And every person appointed by the Commissioner of Banking may,
31 in the discretion of the Commissioner, before entering upon the duties of his
32 office, be required to give bond for the faithful discharge of his duties, in such
33 sum as the Commissioner may designate. Such bond shall be approved by the
34 Commissioner.

35 The annual salary of the Commissioner of Banking shall be \$6,000, payable
36 monthly.

Sec. 5. POWERS AND DUTIES.] The Commissioner of Banking shall have and
2 exercise all the powers and he shall perform all the duties relating to banks, bank-
3 ing, trust companies, building and loan associations, wage loan corporations and
4 pawners' societies as are now vested in the Auditor of Public Accounts or the
5 Secretary of State, it being the intent of this Act to substitute the Commissioner
6 of Banking for the said Auditor of Public Accounts and the said Secretary of
7 State, in so far as their duties now relate to the subjects above enumerated. The
8 Commissioner of Banking shall exercise the same supervision and control over
9 the incorporation and regulation of banks, trust companies, building and loan as-
10 sociations, wage loan corporations and pawners' societies as is now exercised
11 by the Auditor of Public Accounts and the Secretary of State; and the said
12 Commissioner shall collect all fees, fines and penalties connected therewith; and
13 he may institute and prosecute in his name all suits and do all things heretofore
14 authorized by the laws of this State in so far as they relate to the subjects above
15 specified, to be done by the Auditor of Public Accounts or the Secretary of
16 State. The Auditor of Public Accounts and the Secretary of State are hereby
17 relieved from any power or duty heretofore imposed upon them by any law of
18 this State in relation to banks and banking, trust companies, building and loan
19 associations, wage loan corporations and pawners' societies; and the said Com-
20 missioner of Banking is hereby fully authorized and empowered from and after
21 the date of his appointment and qualification as such Commissioner to perform
22 the same.

Sec. 6. OFFICE—SEAL.] The Commissioner of Banking shall be assigned
2 suitable rooms in the State Capitol and shall be furnished with necessary print-
3 ing, stationery and supplies. The division of banking shall have an official seal
4 of such form as the Commissioner of Banking may prescribe, with the approval
5 of the Secretary of Trade and Commerce, which shall contain the words: "The
6 State of Illinois, Department of Trade and Commerce, Division of Banking."

7 A copy of the seal shall be filed in the office of the Secretary of State. Every
8 certificate and other document or paper executed by the said Commissioner of
9 Banking in pursuance of any authority conferred upon him by law and sealed
10 with the seal of the Bureau shall be *prima facie* evidence in suits at law, and all
11 copies of papers certified by him and authenticated by said seal shall in all cases
12 be evidence equally and in like manner as the original thereof, and shall have
13 the same force and effect as the originals would in any suit or proceeding in
14 any court in this State.

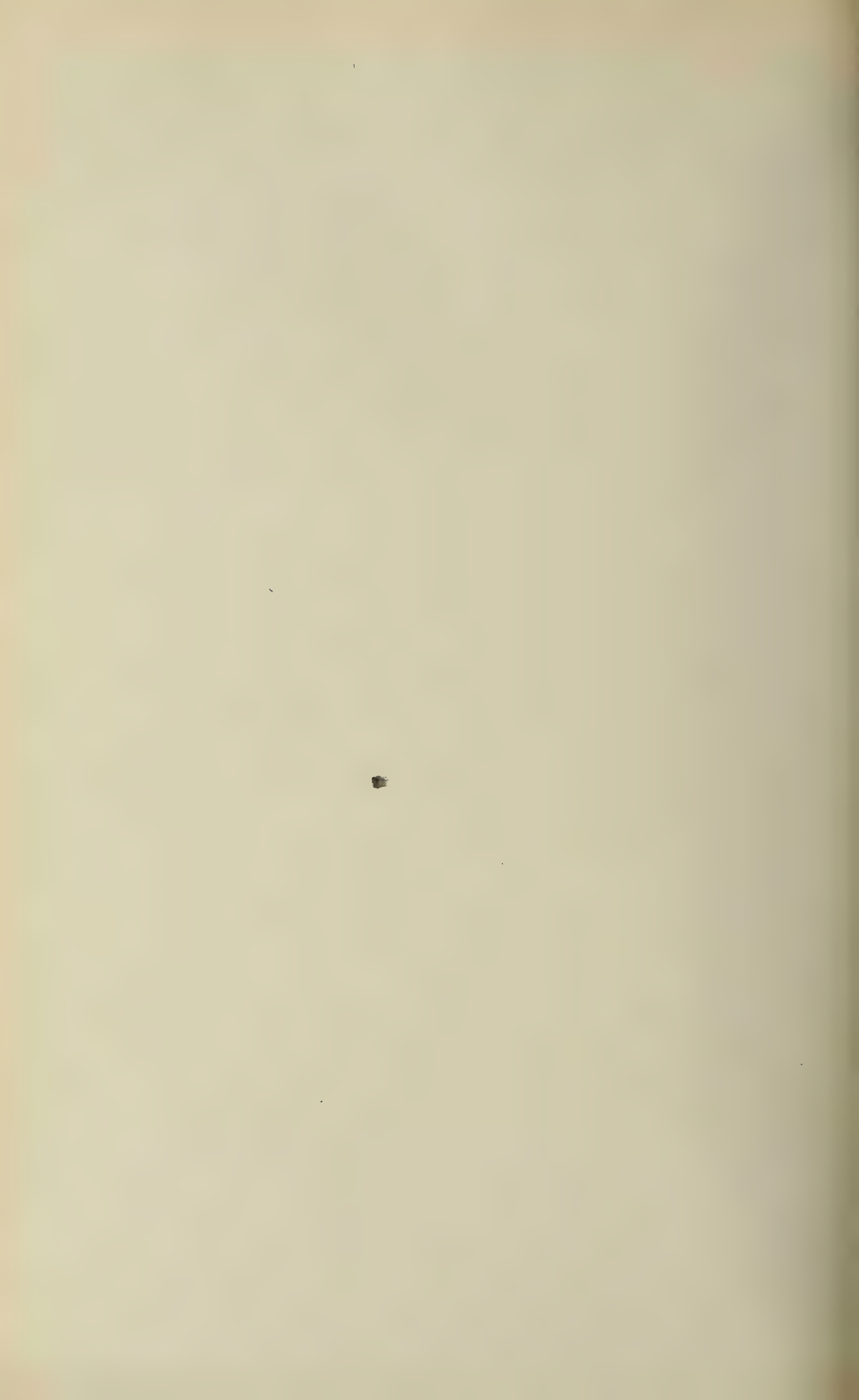
Sec. 7. TRANSFER OF RECORDS, ETC.] The records, books, papers and other
2 documents relating to banks, trust companies, building and loan associations,
3 wage loan corporations and pawners' societies in the office of the Auditor of Pub-
4 lic Accounts or the Secretary of State shall be transferred to the Commission-
5 er of Banking, upon demand in writing, and the same shall be kept in the divis-
6 ion of banking, and transferred by the Commissioner of Banking to his successor
7 and there kept as a part of the records of the office.

Sec. 8. FEES.] There shall be paid to the Commissioner of Banking by
2 every person, firm, association and corporation subject to supervision and regula-
3 tion by the laws of the State, the same fees and penalties as have been hereto-
4 fore paid to the Auditor of Public Accounts or to the Secretary of State. The
5 Commissioner shall give a receipt—such receipts to be numbered consecutively—
6 in each case to the person, firm or corporation paying the fee, fine or penalty,
7 and the said Commissioner shall transmit the proceeds for each month to the
8 State Treasurer, not later than the tenth day of the following month, in the man-
9 ner provided by law.

Sec. 9. REPORT.] The Commissioner of Banking shall make, not later than
2 November 1, before each regular session of the General Assembly, a report to
3 the Secretary of Trade and Commerce, which shall be forwarded by the latter,
4 together with any comments and recommendations that he may think proper to
5 make, to the Governor for transmission to the General Assembly. The report

6 shall contain, in addition to the statistical tables and statements now required by
7 law, a comprehensive summary of the work of the Division of Banking for the
8 preceding year, such additional statistical tables as may be deemed desirable for
9 the information of the General Assembly and the people of the State by the Com-
10 missioner of Banking upon consultation with the Secretary of Trade and Com-
11 merce, and such recommendations to the General Assembly and the Governor
12 as the Commissioner may think it desirable to make, with a financial statement
13 showing the revenues and expenditures for the two fiscal years preceding the
14 date of the report, an estimate of the revenues and expenditures of the current
15 fiscal year, and an estimate of revenues and of appropriations requested for
16 the two following fiscal years.

Sec. 10. RATIFICATION.] The Secretary of State shall submit this Act to a
2 vote of the people for their ratification according to Article XI, section 5, of
3 the Constitution of this State, at the next general election, and the question shall
4 be "For a Commissioner of Banking" or "Against a Commissioner of Bank-
5 ing." And if approved by a majority of the votes cast at such election for or
6 against such law, the Governor shall thereupon issue his proclamation that the
7 Act is then in force.





- 1 Introduced by Mr. Hilton, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to regulate the quantity of gun-powder, dynamite, gun-cotton, or other explosive, used in blasting, and to provide a penalty for violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That it shall be unlawful for any person or persons, incorporated company or corporation, to use, or permit to be used, upon any premises owned or possessed by said person or persons, incorporated company or corporation, more than five hundred pounds of gun-powder, or its equivalent in dynamite, gun-cotton, or other explosives, for purposes of blasting, in any one day of twenty-four hours; or to use, or permit to be used, on said premises, more than five hundred pounds of gun-powder, or its equivalent in dynamite, gun-cotton, or other explosive, in any blast, or blasts, discharged at the same, or approximately the same time, within a radius of one hundred square yards.

Sec. 2. The provisions of the above section shall have equal application to blasting in quarries, furnaces, sand or gravel, or any other place where explosives are used for blasting.

Sec. 3. Any person or persons, incorporated company or corporation violating the provisions of this Act shall be deemed and held guilty of a misdemeanor; and upon conviction thereof, shall, for each and every offense, be fined in any sum not less than two hundred dollars nor more than five hundred dollars.



- 1 Introduced by Mr. Campbell, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act in regard to elections and to provide for filling vacancies in elective offices," approved April 3, 1872, in force July 1, 1872, as subsequently amended, by amending section one hundred and thirty-three (133) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act in regard
3 to elections and to provide for filling vacancies in elective offices," approved April
4 3, 1872, in force July 1, 1872, as subsequently amended be and the same is here-
5 by amended by amending section one hundred and thirty-three (133) thereof so
6 that the said section one hundred and thirty-three (133) when amended shall
7 read as follows:

Sec. 133. When a vacancy shall occur in the office of county commissioner,
2 State's attorney, sheriff, coroner, county clerk, recorder of deeds, county treas-
3 urer, county surveyor, justice of the peace, constable, or other county or precinct
4 officer not otherwise provided for by law, the vacancy shall be filled by appoint-
5 ment, by the county board of the county in which the vacancy exists.

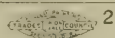
- 1 Introduced by Mr. Le Page, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the payment of claims of dealers at public stock yards arising from losses sustained by them by reason of orders made and action taken by State and national officials to suppress the foot and mouth disease.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That for the purpose of remunerating and
3 paying to the dealers at public stock yards in the State of Illinois (at which there
4 has existed no foot and mouth disease) for losses occasioned to such dealers by
5 reason of the orders made by the State and Federal authorities closing such said
6 markets and compelling the sale of animals then therein for immediate slaughter
7 only, the sum of fifty thousand (\$50,000) dollars. It being provided that any
8 dealer who makes claim hereunder shall be required to establish that at the said
9 public yards no foot and mouth disease existed and that as a result of the quar-
10 antine order of the State and national authorities, he they or it, as the case may
11 be, suffered actual loss and the amount of such loss..

Sec. 2. The Auditor of Public Accounts upon presentation of proper
2 vouchers approved by the State Live Stock Commission and the Governor is
3 hereby authorized to draw his warrants upon the State Treasurer for the claims
4 established as provided in section one (1) hereof, payable to the several
5 parties establishing such claims, and the State Treasurer is authorized to pay
6 said warrants out of any funds in the State treasury not otherwise approp-
7 riated.



- 1 Introduced by Mr. Thon, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act entitled, "An Act for the prevention of blindness from ophthalmia neonatorum; defining ophthalmia neonatorum; designating certain powers and duties and otherwise providing for the enforcement of this Act."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any diseased condition of the eye,
3 or eyes of any infant in which there is any inflammation, swelling or redness in
4 either one or both eyes of any such infant, either apart from or together, with
5 any unnatural discharge from the eye, or eyes of such infant, at any time with-
6 in two weeks after the birth of such infant, shall, independent of the nature of the
7 infection, be known as ophthalmia neonatorum.

Sec. 2. It shall be the duty of any physician, surgeon, obstetrician, mid-
2 wife, nurse, maternity, home or hospital, of any nature, parent, relative and
3 any person or persons assisting in any way whatsoever, any woman at child-
4 birth, or assisting in any way whotsoever any infant, or the mother of any in-
5 fant, at any time within two weeks after childbirth, observing or having a rea-
6 sonable opportunity to observe the condition herein defined, and within six hours

7 thereafter, to report in writing or by telephone, followed by a written report,
 8 such fact to the local health authorities of the city, town, village or other po-
 9 litical division, as the case may be, in which the mother of any such infant
 10 may reside.

Sec. 3. It shall be the duty of all maternity homes and any and all hos-
 2 pitals or places where women resort for purposes of childbirth, to post and keep
 3 posted in conspicuous places in their institution, copies of this Act, and to instruct
 4 persons professionally employed in such homes, hospitals and places regarding
 5 their duties under this Act, and to maintain such records of cases of ophthalmia
 6 neonatorum in the manner and form prescribed by the State Board of Health.

7 It shall be the duty of any and all physicians and midwives to advise, pre-
 8 scribe and employ, for the prevention of ophthalmia neonatorum, such prophy-
 9 lactic as shall be prescribed by the State Board of Health, and to inform the
 10 parents or guardians of a child as to the dangers and dire consequences of
 11 this disease.

Sec. 4. It shall be the duty of the local health officer:

2 (1) To investigate each case of ophthalmia neonatorum reported to him in
 3 compliance with this law, and any other such case as may come to his attention.

4 (2) To report all cases of ophthalmia neonatorum and the results of all
 5 such investigations as he may make, to the State Board of Health in the manner
 6 and form prescribed by said board.

7 (3) To conform to such other rules and regulations as the State Board of
 8 Health shall promulgate for his further guidance, and for the enforcement of
 9 this law.

Sec. 5. It shall be the duty of the State Board of Health:

2 (1) To enforce the provisions of this Act;

3 (2) To promulgate such rules and regulations as shall be deemed necessary
 4 for the purposes of this Act;

5 (3) To provide for the gratuitous distribution of a scientific prophylactic
6 for ophthalmia neonatorum, together with proper directions for the use and ad-
7 ministration thereof, to all physicians and midwives authorized by law to attend
8 at the birth of any child;

9 (4) To have printed and published for distribution throughout the State
10 advice and information concerning the dangers of ophthalmia neonatorum and
11 the necessity for the prompt and effective treatment thereof;

12 (5) To furnish similar advice and information, together with copies of this
13 law to all physicians, midwives, and others authorized by law to attend at the
14 birth of any child;

15 (6) To prepare appropriate report blanks and to furnish same to all local
16 health officers for distribution to physicians and midwives free of charge;

17 (7) To keep a proper record of any and all cases of ophthalmia neonat-
18 orum as shall be filed in the office of the State Board of Health in pursuance with
19 this law, or as may come to said board's attention in any way, and to constitute
20 such records a part of the annual report to the Governor and the General
21 Assembly;

22 (8) To report any and all violations of this Act to the prosecuting attor-
23 ney of the district wherein said violation may have been committed.

Sec. 6. The failure of any and all physicians, midwives or others herein
2 required to report cases of ophthalmia neonatorum to report as herein pre-
3 scribed; or the failure of any hospital to record as herein set forth; or the
4 failure of any physician or midwife to treat, as the State Board of Health shall
5 by its rules require, any and all cases of ophthalmia neonatorum occurring in
6 his or her practice; as herein prescribed, and under such circumstances as are
7 herewith set forth, or any or all of such violations, or any violation of this Act
8 whatsoever, as the case may be, shall constitute a misdemeanor under this Act.

Sec. 7. Any collusion between any official and any person, or between any
2 others herein named, to misstate or conceal any facts which under this Act are

3 essential to report correctly any case of ophthalmia neonatorum, shall likewise
4 constitute a misdemeanor, and any person upon conviction thereof, shall suffer
5 a penalty such as is hereinafter provided.

Sec. 8. It shall be the duty of the State's Attorney for the proper district
2 to prosecute for all misdemeanors as herein prescribed.

Sec. 9. Any person violating any of the provisions of this Act shall be
2 guilty of a misdemeanor and shall, upon conviction thereof, be fined not less than
3 ten (\$10) dollars nor more than one hundred (\$100) dollars, in the discretion of
4 the court.

Sec. 10. All Acts and parts of Acts in conflict with this Act are hereby
2 repealed.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 582

1915



1 Adopted May 13, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 582 by striking out all of section 10 in the printed
2 bill and inserting in lieu thereof the following: "Section 10. An Act for the pre-
3 vention of blindness, approved June 21, 1895, in force July 1, 1895, is hereby re-
4 pealed".

AMENDMENT NO. 2.

Amend House Bill No. 582 by inserting after the word advise, in line 7 of
2 section 3, the word "or" and also by striking out in line 8 of said section the
3 word "and" and inserting in lieu thereof the word "or".

AMENDMENT NO. 3.

Amend House Bill No. 582 by striking out in line 4 of section 6 the word
3 "treat" and inserting in lieu thereof the words "use such preventive measures".

AMENDMENT NO. 4.

Amend House Bill No. 582 by striking out of the printed bill sub-section 3 of
2 section 4.

AMENDMENT NO. 5.

Amend House Bill No. 582 by striking out sub-section 2 of section 5 and re-
2 numbering the sub-sections of section 5, so that sub-section 3 will be 2, 4 will
3 be 3, 5 will be 4, 6 will be 5, 7 will be 6, and 8 will be 7.

AMENDMENT NO. 6.

Amend House Bill No. 582, section 2 of the printed bill, line 2, by inserting
 2 after the word "nature" the word "or" and by striking out of lines 2 and 3 of
 3 said section 2 after the word "parents" the words "relative and any person or
 4 persons".

5 Section 3, lines 7 and 8, by striking out the words "prescribe and employ"

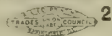
6 Section 3, line 11, after the word "disease" insert the following, "for the pur-
 7 pose of preventing the development of ophthalmia neonatorum in cases of child-
 8 birth attended by midwives, midwives may employ the prophylactic prescribed by
 9 the State Board of Health, provided the consent of the parent or parents or
 10 guardian shall first be obtained for the use of such preventive treatment".

11 Section 4, sub-section (1), in line 2, after the word "investigate" insert the
 12 following: "insofar as that can be done without entering into the home or inter-
 13 fering with the child in any way without first securing the consent of the parents
 14 or guardians of such child and".

15 Section 2, line 10, after the words "may reside" add the following words:
 16 "*Provided*, that such reports and the records thereof shall be deemed privileged
 17 information and shall not be open to the public".

AMENDMENT NO. 7.

Amend House Bill No. 582, as follows: Section 5, strike out all of sub-section
 2 7 of the printed bill. Section 5, sub-section (8) of the printed bill, strike out the
 3 number (8), of said sub-section and number it (7). Strike out all of section 6 and
 4 renumber section 7 so that it be numbered section 8; renumber section 8 so that
 5 it be numbered section 7; renumber section 9 so that it be numbered section 8; re-
 6 number section 10 so that it be numbered section 9.



- 1 Introduced by Mr. Harry Wilson, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 115 of an Act entitled, "An Act to establish and maintain a system of free schools, approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 115 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, be and the same is hereby amended to read as follows:

5 Sec. 115. The board of school directors shall be clothed with the following
5½ powers:

6 First—To purchase a suitable book for their records.

7 Second—To allow the clerk a reasonable compensation for his services,
8 payable out of money not otherwise appropriated.

9 Third—To dismiss a teacher for incompetency, cruelty, negligence, immor-
10 ality or other sufficient cause.

11 Fourth—To assign pupils to the several schools in the district; to admit non-
12 resident pupils when it can be done without prejudice to the rights of resident
13 pupils; to fix rates of tuition, and to collect and pay the same to the township
14 treasurer for the use of the district.

15 Fifth—To suspend or expel pupils guilty of gross disobedience or miscon-
16 duct, and no action shall lie against them for such expulsion or suspension.

17 Sixth—To provide that children under twelve years of age shall not be
18 kept in school more than four hours daily.

19 Seventh—To appropriate school funds for the purchase of libraries and ap-
20 paratus, after the provision has been made for the payment of all necessary
21 school expenses.

22 Eighth—To sell at public or private sale any personal property belonging
23 to the school district, and not needed for school purposes.

24 Ninth—To grant special holidays whenever in their judgment such action
25 is advisable, but no deduction shall be made from the time or compensation of
26 a teacher on account of such days.

27 Tenth—To have the control and supervision of all public school houses in
28 their district, and to grant the temporary use of them, when not occupied by
29 schools, for religious meetings and Sunday schools, for evening schools and lit-
30 erary societies, and for such other meetings as the directors may deem proper.

31 Eleventh—To decide when a site or building has become unnecessary, un-
32 suitable or inconvenient for a school.

33 Twelfth—To borrow money, and issue bonds for the purposes and in the
34 manner provided by this Act.

35 Thirteenth—To furnish each school with a flag and a staff, as provided
36 by law.

37 Fourteenth—To establish classes having an average attendance of not
38 fewer than fifteen pupils for the instruction of crippled children over the age
39 of six and under twenty-one years.

40 Fifteenth—To establish classes for the instruction of deaf children over the
41 age of three and under twenty-one years: *Provided, however, that no person*
42 *shall be employed to teach the deaf who shall not have received instruction in*
43 *the methods of teaching the deaf for a term of not less than one year.*

44 Sixteenth—To establish kindergartens for the instruction of children be-

45 tween the age of four and six years, *if in their judgment the public interest re-*
46 *quires it, and to pay the necessary expenses of the same out of the school funds*
47 *of the district: Provided, that no one shall be employed to teach in a kinder-*
48 *garten who does not hold a kindergarten certificate as provided by law.*



- 1 Introduced by Mr. Merritt, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

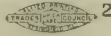
For an Act, regulating the employment of locomotive hostlers and flagmen, by railroads, and providing a penalty for violation of same.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That no person shall act as a hostler upon
3 any locomotive engine unless he shall be able to read, speak and write the English
4 language.

Sec. 2. That no person shall act as a flagman upon any railroad unless he
2 shall be able to read, speak and write the English language, and shall have
3 passed a satisfactory examination upon the flagging rules of the company by
4 which he is employed.

Sec. 3. That it shall be unlawful for any person knowingly to engage, pro-
2 mote, persuade, prevail upon, or cause any person to act in violation of the two
3 preceding sections.

Sec. 4. Any violation of the provisions of this Act, shall be punished by imprisonment for not more than one year, or by a fine of not less than one hundred dollars (\$100.00), nor more than five hundred dollars (\$500.00), or by both fine and imprisonment, and each day's violation shall constitute a separate offense.



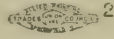
- 1 Introduced by Mr. Morris, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations for the Southern Illinois penitentiary at Chester.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the following amounts or as much
3 thereof as may be necessary, be, and the same are hereby, appropriated to the
4 Southern Illinois penitentiary at Chester for the purpose hereinafter named.
- 5 For ordinary expenses of the penitentiary, and for the expenses of the com-
6 missioners and officers for the two (2) years ending June 30, 1917, \$215,000.00
7 per annum.
- 8 For maintaining the library and furnishing the chapel, \$350.00 per annum.
- 9 For expenses enforcing the parole law, \$4,000.00, per annum.
- 10 For repairs and refurnishings, \$3,000.00 per annum.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants for the sums hereby appropriated upon the presentation of
3 itemized vouchers, certified to by the Board of Commissioners of said peniten-
4 tiary, signed by the president and attested by the secretary, with the seal of the
5 institution attached, and approved by the Governor.



- 1 Introduced by Mr. Morris, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to meet a deficiency in the appropriation for the ordinary expenses of the Southern Illinois Penitentiary for the two years ending July 1, 1915, and declaring an emergency.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of nineteen thousand thirty-five and 50-100 (\$19,035.50) dollars, or so much thereof as may be necessary, be and the same is hereby appropriated to the Southern Illinois Penitentiary to cover a deficiency in the appropriation made for the ordinary expenses of said penitentiary for the two years ending July 1, 1915.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrants for the sum hereby appropriated, upon the presentation of itemized vouchers, certified to by the Board of Commissioners of said penitentiary, signed by the president and attested by the secretary, with the seal of the institution attached, and approved by the Governor.

Sec. 3. Whereas, the appropriation above recited is necessary to meet the deficiency above mentioned, therefore an emergency exists and this Act shall be in force and take effect from and after its passage.

AMENDMENTS TO

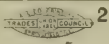
49th G. A. HOUSE BILL No. 586 1915



1 Adopted May 3, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 586, as printed in the House, section 1, line 6, after	
the words and figures "1915," by inserting the following words and figures,	
as follows:	
Food supplies, eleven thousand two hundred five and 35-100 dollars....	\$11,205.35
Tobacco, one hundred twenty-eight and 70-100 dollars.....	128.70
Stationery, five hundred eleven and 71-100 dollars	511.71
Salaries, four thousand six hundred eighty-nine and 20-100 dollars..	4,689.20
Soap, ninety-two and 55-100 dollars.....	92.55
Hardware, three hundred twenty-two and 42-100 dollars.....	322.42
Electrical supplies, one hundred thirty-five and 54-100 dollars.....	135.54
Telegraph and telephone, sixty-one and 86-100 dollars.....	61.86
Barber supplies, eight and 78-100 dollars	8.78
Coal, eight hundred forty-six and 35-100 dollars	846.35
Postage stamps, one hundred seventeen and 94-100 dollars.....	117.94
Drugs, ninety-eight and 26-100 dollars.....	98.26
Disinfectants, fifty dollars.....	50.00
Oil and compounds, four hundred forty-six and 13-100 dollars.....	446.13
Footwear, two hundred twenty-two and 75-100 dollars.....	222.75
Freight, ninety-seven and 96-100 dollars	97.96
Total	\$19,035.50



- 1 Introduced by Mr. Franz, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Civil Service.

BILL

For an Act to amend an Act entitled, “An Act to regulate the civil service of cities,” approved and in force March 20, 1895, as subsequently amended by amending sections thirty-eight (38) and thirty-nine (39) thereof.

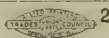
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, “An Act to regulate the civil service of cities,” approved and in force March 20, 1895, as subsequently amended be and the same is hereby amended by amending section thirty-eight (38) and section thirty-nine (39) thereof so that the said sections when amended shall read as follows:*

Sec. 38. *The electors of any city now existing or hereafter existing in this State, may adopt and become entitled to the benefit of this Act, and the electors of any city of thirty thousand (30,000) population or less where the same may have been adopted may discontinue the civil service in whole or in part or as applied to one or more departments of the city service as specified in the proposition to discontinue in the following manner: Whenever one thousand (1,000) of the legal voters of such city, voting at the last preceding election*

8 shall petition the judge of the county court of the county, in which said city is
9 located, to submit to a vote of the electors of such city the proposition as to
10 whether such city and the electors herof shall adopt and become entitled to the
11 benefits of this Act, or whether such city and the electors thereof shall discon-
12 tinue the civil service in whole or in part, it shall be the duty of such county
13 court to submit such proposition accordingly at the next succeeding general
14 State, county or city election, and if such proposition is not adopted at such
15 election the same may in like manner be submitted to a vote of the electors of
16 such city by such county court upon like application at any general State, county
17 or city election, thereafter, and an order shall be entered of record in such
18 county court submitting such proposition as aforesaid.

19 If one thousand (1,000) shall exceed one-eighth of the legal voters of any
20 such city voting at the last preceding election, then such petition or application
21 need not be signed or made by more than one-eighth of the legal voters of such
22 city voting at the last preceding election.

Sec. 39. The judge of such county court shall give at least ten days notice
2 of election at which such proposition is to be submitted by publishing such notice
3 in one or more newspapers published within such city for at least five times, the
4 first publication to be at least ten days before the day of the election; and if
5 no newspaper is published in such city, then by posting at least five copies of such
6 notice in each ward at least ten days before such election shall be held under
7 the election law in force in such city, except as herein otherwise provided. The
8 proposition so to be voted for shall appear in plain, prominent type at the head
9 of every ticket and preceding the names of persons to be voted upon for any
10 office at such election, *if the proposition voted upon be for the adoption of this*
11 *Act*, and a majority of the votes cast upon such proposition shall be for such
12 proposition, this Act shall thereby be adopted by such city, and the mayor shall
13 thereupon issue a proclamation declaring this Act in force in such city, *and if the*
14 *proposition be to discontinue civil service in whole or in part and a majority of*
15 *the votes cast be in favor of such discontinuance of civil service or the part or*
16 *branch thereof so voted upon the same shall thereafter be discontinued and the*
17 *mayor shall thereupon issue a proclamation declaring such discontinuance.*



- 1 Introduced by Mr. Atwood, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to appropriate the State school fund.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be, and is hereby appro-
3 priated to the Auditor of Public Accounts, in lieu of the two mill tax, the sum
4 of \$4,500,000.00 per annum, out of the State school fund, to pay the amount
5 of the Auditor's orders for the distribution of said fund to the several coun-
6 ties and for the payment of the salary of county superintendents of schools
7 as now provided by law. The Auditor of Public Accounts shall issue his war-
8 rants to the State Treasurer on the proper evidence that the amount distributed
9 has been paid to the county superintendents.



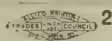
- 1 Introduced by Mr. Scanlan (by request), April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation of five thousand dollars (\$5,000.00) or so much thereof as is necessary, to the Legislative Insurance Committee of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of five thousand dollars (\$5,000.00), or so much thereof as is necessary, is hereby appropriated to pay the expenses of the Legislative Insurance Committee which was appointed by the 47th General Assembly and continued by House Joint Resolution No. 21 of the 48th General Assembly, to codify the insurance laws of the State of Illinois, and to pay a deficit of twenty-four hundred dollars (\$2,400.00) covering past expenses of the work of said committee in its investigation of fire rating conditions in this State.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed to draw his warrant for the sum herein specified upon the presentation of proper vouchers certified to by the chairman of the committee, and the treasurer shall pay the same out of any funds in the State Treasury, not otherwise appropriated.



- 1 Introduced by Mr. Scanlan, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act relating to insurance brokers.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Insurance Superintendent may,
3 upon the payment of a fee of ten dollars, issue to any suitable person resident in
4 this State or resident in any other State granting brokers' licenses to residents of
5 this State, a license to act as insurance broker, to negotiate contracts of insur-
6 ance or reinsurance, or to place risks, or to effect insurance or reinsurance, with
7 any licensed domestic insurance company, or its agent, or with the duly author-
8 ized agent in this State of any foreign insurance company duly licensed to do
9 business in this State, or with an agent duly licensed under and by virtue of the
10 provisions of an Act entitled, "An Act providing for licenses to agents to pro-
11 cure fire policies in unauthorized corporations, providing for a bond to be given
12 by such agents, and for a tax upon the receipts of premiums received for policies
13 so issued within the State," approved May 14, 1903, in force July 1, 1903, upon
14 the following conditions: The applicant for such license shall file with the In-

15 surance Superintendent an application, which shall be in writing, and upon a
16 form to be provided by the Insurance Superintendent, and shall be executed by
17 such applicant under oath and kept on file in the office of the Insurance Super-
18 intendent; such application shall state the name, age, residence and occupation
19 of such applicant at the time of making the application, his occupation for the
20 five years next preceding the date of filing such application, and shall state that
21 the applicant intends to hold himself out and carry on business in good faith as
22 an insurance broker, and such other information concerning the qualification of
23 such applicant, including applicant's knowledge of policy forms and insurance
24 terms, as the Insurance Superintendent shall require; the application shall be
25 accompanied by a statement upon a blank furnished by the Insurance Superin-
26 tendent as to the trustworthiness and competency of the applicant, signed by at
27 least three reputable citizens of this State. If the Insurance Superintendent is
28 satisfied that the applicant is trustworthy and competent, and intends to hold
29 himself out and carry on the business of an insurance broker in good faith, he
30 shall issue to him the license applied for. The Insurance Superintendent may at
31 any time after the granting of a broker's license, for cause shown, and after
32 hearing, determine that licensee has not complied with the insurance laws of this
33 State, or is not trustworthy or competent, or is not holding himself out and
34 actually carrying on the business as insurance broker as contemplated hereby,
35 or is not a suitable person to act as such insurance broker, and he shall there-
36 upon revoke the license of such broker and notify him of such revocation.

37 A broker's license under this Act shall remain in force until the first day of
38 March then next ensuing, unless sooner revoked by the Insurance Superintend-
39 ent for cause.

40 The Insurance Superintendent shall publish a notice of the revocation of a
41 broker's license in such manner as he deems proper for the protection of the
42 public.

43 Brokers' licenses issued on application as herein provided may, in the dis-
44 cretion of the Insurance Superintendent, be renewed upon the payment of an

45 annual fee of ten dollars for each succeeding year or years by his requiring
46 anew the details required in the original application.

Sec. 2 Whoever, for compensation, not being the duly appointed agent or
2 officer of the company in which any insurance or re-insurance is effected, acts or
3 aids in any manner on behalf of the insured in negotiating contracts of insurance
4 or re-insurance, or placing risks or effecting insurance or re-insurance for a per-
5 son other than himself, shall be deemed an insurance broker, and no person shall
6 act as such broker except as provided in section 1 hereof: *Provided*, that this
7 Act shall not apply to any person negotiating, placing or effecting insurance in
8 life insurance companies, fraternal beneficiary societies or assessment life asso-
9 ciations: *And, provided, further*, that a member of a mutual company or a
10 member of an inter-insurance exchange who, on behalf of said mutual company
11 or exchange, solicits persons to become members thereof, shall not be deemed
12 an insurance broker.

Sec. 3. Any person violating any of the provisions hereof shall be subject
2 to a penalty of not less than fifty dollars nor more than two hundred dollars, to
3 be recovered in the name of the People of the State of Illinois in an action of
4 debt upon the information of the Insurance Superintendent of this State, or
5 the State's Attorney of the county in which the violation occurs, and upon con-
6 viction under this Act the court shall, as part of the judgment, order that the
7 defendant be committed to the county jail of the county until the fine and costs
8 are paid, such commitment not to exceed thirty days.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 590

1915



1 Adopted April 27, 1915.

AMENDMENT NO. 1.

Amend House Bill 590 by striking out all of lines 43 and 44 of section one
2 and insert in lieu thereof the following: "Broker's licenses issued on appli-
3 cation as herein provided, shall be renewed on payment of an".



- 1 Introduced by Mr. Scanlan, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to prohibit discrimination or rebates for policies or contracts of insurance other than those issued by life insurance companies, fraternal beneficiary societies and assessment life associations, and providing a penalty for the violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That no insurance corporation, association, partnership, Lloyds or individual underwriters, and no officer, agent, sub-
3 agent, solicitor or representative thereof or any broker, insuring or procuring
4 insurance against any liability, casualty, accident, loss, hazard or undertaking
5 that may arise or occur or be the subject of contract shall offer to pay or allow, in
6 any manner whatsoever, as inducement to insurance, or pay or allow as inducement
7 to insurance, or after the insurance shall have been effected, any rebate from
8 the premium which is specified in the policy or any special favor or advantage in
9 the dividend or other benefit or benefits to accrue thereon, or any valuable consideration
10 or inducement whatever, not specified in the policy or contract of insurance,
11 or give, sell or purchase, or offer to give, sell or purchase, as inducement
12

13 ment to insurance, or in connection therewith, any stocks, bonds, or other securi-
 14 ties of any insurance company, or other corporation, association or partner-
 15 ship, or any dividend or profits accrued thereon, or anything of value whatso-
 16 ever, not specified in the policy.

Sec. 2. No person, or his agent or representative, shall receive or accept,
 2 directly or indirectly, from any company or agent, sub-agent, solicitor, broker
 3 or any other person any such rebate from the premium specified in the policy, or
 4 any special favor or advantage in the dividend or profits or other benefits to ac-
 5 crue thereon, or any valuable consideration or inducement not specified in the
 6 policy or contract of insurance. No person shall be excused from attending and,
 7 when ordered so to do, from testifying or producing any books, papers, con-
 8 tracts, agreements or documents before any court or magistrate, upon any in-
 9 vestigation, proceeding or trial for a violation of any of the provisions of this
 10 Act, upon the ground or for the reason that the testimony or evidence, docu-
 11 mentary or otherwise, required of him may tend to convict him of a crime or sub-
 12 ject him to a penalty or forfeiture, but no person shall be prosecuted or subject-
 13 ed to any penalty or forfeiture for or on account of any transaction, matter or
 14 thing concerning which he may have been required so to testify or to produce
 15 evidence, documentary or otherwise, except for perjury committed in so testify-
 16 ing, and no testimony so given or produced shall be received against him upon
 17 any criminal investigation or proceeding.

Sec. 3. The provisions of this Act shall not apply to any contracts of life
 2 insurance nor to fraternal beneficiary societies or assessment life associations,
 3 nor shall this Act be so construed as to prevent any insurance company, or
 4 other insurer, or its duly authorized agent, from paying a commission to an-
 5 other insurance company, or to any person who is a duly authorized agent or
 6 sub-agent thereof, or to a broker, and who holds himself out and carries on
 7 business in good faith as such, or to prevent an insurance company from receiv-

ing a commission in respect to any policy under which it is itself insured, or to prevent such a person from receiving a commission in respect to any policy under which he himself is insured; nor shall anything in this Act contained be construed to prevent any corporation, person, partnership or association lawfully doing such insurance business in this State from the distribution of surplus and dividends to policyholders, nor prevent any member of an inter-insurance or Lloyds association from receiving the profit of his or its underwriting, and nothing herein contained shall be held to prevent the covering of risks by temporary binders or such other memoranda as do not conflict with the provisions of this Act. Nor shall the provisions of this Act prevent any such corporation or other insurer, or any agent, sub-agent or insurance broker, from distributing or presenting to any person or corporation any article of merchandise not exceeding one dollar in value, which shall have conspicuously stamped or printed thereon the advertisement of such insurance corporation or other insurer, agent, sub-agent or broker.

Sec. 4. Any corporation, person or association violating the provisions of this Act shall be deemed guilty of a misdemeanor and shall forfeit to the People of this State a sum not less than two hundred dollars nor more than five hundred dollars for each such violation, to be recovered in an action of debt in any court of competent jurisdiction within the State upon the complaint of the State's Attorney of any county in the State, the Insurance Superintendent of this State, or of any citizen. In the event that any person is convicted under this Act the court shall as a part of the judgment provide that the person so convicted shall be committed to the jail of the county in which such conviction is had until the fine and costs are paid, such imprisonment, however, not to exceed fifteen days.

Sec. 5. Any person who shall be guilty of a violation of this Act, who is licensed by the Insurance Superintendent of this State to do any of the kinds of business herein mentioned, shall as a further penalty upon conviction of such

4 violation forfeit his license and it shall be the duty of the Insurance Superin-
5 tendent upon receiving satisfactory evidence of such conviction to revoke the
6 license of the person so convicted, and the license shall not be restored for a
7 period of one year next after such revocation.

- 1 Introduced by Mr. Burres, April 1, 1915
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to create a department of health, to define its powers and duties and to repeal certain Acts therein named.

ARTICLE I.

ADMINISTRATIVE ORGANIZATION.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* There is hereby created an executive department of health which shall exercise the powers and perform the duties prescribed by this Act. The State Department of Health shall consist of a State Board of Health, a Health Commissioner, the heads of divisions and bureaus and
6 such other administrative and executive agencies as are authorized by this Act.

Sec. 2. Within thirty days after this Act shall take effect the Governor shall,
2 by and with the advice and consent of the Senate, appoint five (5) persons to be called and known as the State Board of Health. If the Senate is not in session
4 the Governor shall make a temporary appointment as in the case of a vacancy.
5 The term of one member shall expire on the first day of March, 1917; the terms
6 of two members shall expire on the first day of March, 1919; and the terms of

7 two members shall expire on the first day of March, 1921, and who shall hold their
 8 several terms of office until their successors are appointed and qualified. On
 9 or before the expiration of the term of office of any member the successor of
 10 the member appointed for such term shall be appointed by the Governor, by and
 11 with the advice and consent of the Senate for the term of six years and until
 12 their successors are appointed and qualified. The expiration of the members
 13 first appointed shall be designated by the Governor in the commission issued
 14 to such members. Each member, before entering upon the duties of his office,
 15 shall take the oath prescribed by the constitution for State officers, and such oath
 16 shall be filed in the office of the Secretary of State.

17 From time to time the Governor shall designate the member of the board who
 18 shall be its president. Three members of such board shall constitute a quorum.
 19 The members of the State Board of Health shall receive no compensation, but
 20 shall be allowed their necessary traveling and other expenses in performing
 21 their official duties.

Sec. 3. The State Board of Health shall have the power and it shall be its
 2 duty:

3 First: To have general supervision, subject to the provisions of this Act, of
 4 the health and lives of the people of this State.

5 Second: To meet at the Capitol at Springfield as frequently as its business
 6 may require, and at least twice each year; to meet from time to time at
 7 such other places within the State of Illinois as may be fixed by the rules and
 8 regulations of the board and duly published and promulgated for the informa-
 9 tion of the public.

10 Third: From time to time to pass and to amend or change rules in relation
 11 to its meetings and the transaction of its business.

12 Fourth: To approve, change, amend, modify or rescind any rule or regula-
 13 tion prepared and recommended by the Health Commissioner.

14 Fifth: To hear and determine such matters as may be appealed to it under
 15 the provisions of this Act.

16 Sixth: To require the Health Commissioner and all other officers and em-
17 ployees of the department to make such reports to it and at such times as it may
18 require.

19 Seventh: To make biennial reports to the Governor, including in such re-
20 ports recommendations as to needed health legislation.

Sec. 4. Within thirty (30) days after this Act shall take effect the Governor
2 shall appoint a Health Commissioner to serve until January 15, A. D. 1917, and
3 until his successor is appointed and qualified. If the Senate is not in session,
4 the Governor shall make a temporary appointment as in the case of a vacancy.

5 On or before January 15, A. D. 1917, and every four years thereafter, the
6 Governor, by and with the advice and consent of the Senate, shall appoint a
7 Health Commissioner to serve for a term of four years from and after the expira-
8 tion of the term of his predecessor and until his successor is appointed and
9 qualified. In case of a vacancy during the recess of the Senate, the Governor
10 shall make a temporary appointment until the next meeting of the Senate, when
11 he shall nominate some person to fill such office. The Health Commissioner shall
12 be a physician of learning, skill and experience in public health duties and sani-
13 tary science. During his term of office he shall not engage in any occupation
14 which would conflict with the performance of his official duties.

15 He shall take the oath of office prescribed by the constitution for State of-
16 ficers, which oath shall be filed in the office of the Secretary of State. Before
17 entering upon the duties of his office he shall execute a bond, payable to the
18 People of the State of Illinois, in the penal sum of ten thousand (\$10,000) dollars,
19 conditioned for the faithful performance of the duties of his office, which bond
20 shall be approved by the Attorney General as to its form and by the Governor
21 as to the sufficiency of its sureties. Such bond when executed and approved
22 shall be filed in the office of the Secretary of State. The Health Commissioner
23 shall receive a salary of five thousand (\$5,000) dollars per annum, payable
24 monthly.

Sec. 5. There shall be in the State Health Department the following divisions and bureaus, together with such other bureaus as the Health Commissioner, with the approval of the State Board of Health, may from time to time determine:

1. Bureau of communicable diseases.
2. Bureau of laboratories and research.
3. Bureau of vital statistics.
4. Bureau of sanitation.
5. Bureau of registration and licensing.
6. Division of food inspection.

Each such division or bureau shall be under the management of an officer appointed by the Health Commissioner except as otherwise provided in this Act.

Sec. 6. In the execution of the duties prescribed by this Act the State Board of Health, the Health Commissioner, the State Board of Pharmacy, the Board of Dental Examiners, and the respective boards of examiners, shall, severally and the members thereof, have power to administer oaths, certify to official acts, issue subpoenae and compel the attendance of witnesses and the production of books, papers, documents and testimony.

Any person who shall be served with a subpoena issued by the Health Commissioner or by any of such boards to appear and testify, or to produce books, papers or documents in the course of an investigation authorized by law, and who shall refuse or neglect to appear or to testify or to procure books, papers or documents relevant to said investigation as commanded in such subpoenae, shall be guilty of a misdemeanor and shall on conviction be punished by a fine of not less than one hundred (\$100) dollars, nor more than one thousand (\$1,000) dollars, or by imprisonment in the county jail for a term not exceeding three (3) months, or both such fine and imprisonment, in the discretion of the court.

The fees of witnesses for attendance and travel shall be the same as the fees of witnesses before the circuit courts of this State, and shall be tendered

19 to such witnesses at the time of the service of the subpoenae. Any circuit court
20 of this State or any judge thereof either in term time or vacation, upon appli-
21 cation of the health commissioner or of any such board, may compel the at-
22 tendance of witnesses, the production of books, papers or documents, and the
23 giving of testimony before the Health Commissioner or before any such board, by
24 an attachment for contempt or otherwise in the same manner as the production
25 of evidence may be compelled before such court. Every person who, having
26 taken an oath or made affirmation before the Health Commissioner or before any
27 such board, shall willfully swear or affirm falsely, shall be guilty of perjury
28 and upon conviction shall be punished accordingly.

Sec. 7. This Act shall not affect actions or proceedings, civil or criminal,
2 brought by or against the State Board of Health, the State Board of Pharmacy,
3 the State Board of Dental Examiners, the Board of Nurse Examiners, or the
4 Board of Barber Examiners, and pending at the time this Act takes effect, but
5 such actions or proceedings may be prosecuted and continued in the same man-
6 ner and to the same effect as if this Act had not taken effect. Nor shall any of
7 the provisions of this Act affect in any manner any order or recommendation
8 made by, or any other matters or proceedings before such State Board of
9 Health or other boards and all such matters and proceedings pending before
10 such boards shall be continued before the health commissioner, or before the
11 proper board as the case may be.

Sec. 8. Any license, registration certificate, or other certificate heretofore
2 or hereafter issued or granted authorizing and permitting the holder thereof to
3 exercise the art, calling, profession, or practice of medicine and surgery, or the
4 practice of any other system or science of treating human ailments without the
5 use of medicines internally or externally, and without the use of operative sur-
5½ gery, or midwifery, or registered pharmacist, or local registered phar-
6 macist, or assistant pharmacist, or dentistry or dental surgery, or registered
6½ nurse, or embalming may be revoked in the manner provided by this Act for any
7 or either of the following causes:

8 (1) In case any practitioner is guilty of any fraud or deceit in his practice.

9 (2) In case any practitioner is guilty of any fraud or deceit by which he
10 was admitted to practice.

11 (3) In case any practitioner has by false or fraudulent representation in
12 his profession obtained or sought to obtain money or other thing of value.

13 (4) In case any practitioner advertises under a name other than his own.

14 (5) In case any practitioner is an habitual drunkard or is habitually ad-
15 dicted to the use of morphine, opium, cocaine or other drug having similar ef-
16 fect.

17 (6) In case any practitioner willfully and repeatedly violates any of the
18 provisions of the law under which his license or certificate was granted.

19 (7) In the case of any medical practitioner or practitioner of midwifery
20 who has been convicted of the crime of criminal abortion.

21 (8) In case any practitioner is guilty of any other similar dishonorable or
22 unprofessional conduct.

23 The Health Commissioner shall have the power to revoke the license of em-
24 balmers; the Board of Medical Examiners shall have the power to revoke the li-
25 cense of persons authorized to practice medicine, midwifery or other system of
26 treating ailments, or of registered nurses; the State Board of Pharmacy shall
27 have power to revoke the license of registered pharmacists, local registered
28 pharmacists, and assistant registered pharmacists; the State Board of Dental
29 Examiners shall have power to revoke the licenses of practitioners of dentistry
30 and dental surgery.

31 Proceedings for the revocation of a license shall be commenced by filing
32 with the Health Commissioner in case the license sought to be revoked is that
32½ of a person authorized to practice medicine, midwifery or other system of
33 treating human ailments, or a registered nurse, or with the Secre-
34 tary of the State Board of Pharmacy in case the license sought to be revoked is
35 that of a registered pharmacist, local registered pharmacist or assistant regis-
36 tered pharmacist, or with the Secretary of the Board of Dental Examiners in case
37 the license sought to be revoked is that of a dentist or dental surgeon, a written

38 charge or charges against the accused. Such charge or charges may be preferred
39 by any person or corporation, or the proper board may, on its own motion,
40 through its chairman, prefer such charge or charges. When such charge or
41 charges are preferred in writing, the proper officer or board shall fix a time
42 and place for the hearing of such charges, and a copy of the charges, together
43 with a notice of the time and place when they will be heard and determined shall
44 be served on the accused at least ten (10) days before the date fixed for such
45 hearing. Where personal service cannot be effected and such fact is certified
46 on oath by any person duly authorized to make legal service of summons issued
47 by any justice of the peace or any court of record in this State, the proper officer
48 or board shall cause to be published for at least twenty (20) days prior to the
49 hearing, in two newspapers, if there be such published in the county in which the
50 practitioner was last known to practice, a notice to the effect that at a definite
51 time and place stated in the notice a hearing will be had for the purpose of hear-
52 ing charges against the practitioner upon an application to revoke his license or
53 registration certificate, as the case may be. At such hearing the accused shall
54 have the right to be present in person or by counsel, or both, to cross-examine
55 the witnesses against him and to produce witnesses in his defense, and for that
56 purpose the officer or board hearing the charges shall issue and cause to be served
57 such subpoenae and other process as may be requested by the accused.

58 The officer or board hearing such charges shall make and file with its sec-
59 retary, or in case the charges are heard by the health commissioner shall file in
60 the office of the Health Commissioner, a written report of his or its findings and
61 recommendations. If the officer or board hearing such charges shall find that
62 they are sufficient and are sustained by the evidence, such officer or board shall
63 thereupon revoke the license of such practitioner, which revocation shall become
64 effective on the twenty-first day after the filing of such order in the proper of-
65 fice, unless an appeal is taken as herein provided.

66 The accused shall have the right to appeal from the order of the officer
67 or board revoking such license to the State Board of Health: *Provided*, that notice
68 of such appeal shall be filed with the officer or secretary with whom the order of

69 revocation is filed within twenty (20) days after the filing of the order of revo-
 70 cation. The filing of the notice of appeal shall suspend the order of revocation
 71 until the State Board of Health shall have passed on such appeal. The State
 72 Board of Health shall have power to hear and determine such appeal, and for
 73 that purpose are hereby empowered to try the charges *de novo*. The State Board
 74 of Health may either affirm, reverse or modify the order and finding of the offi-
 75 cer or board which revoked such license or registration certificate. The order
 76 and finding of the State Board of Health shall become effective upon the date it is
 77 filed in the office of the Health Commissioner, or the secretary of the proper
 78 board, as the case may be, and it shall be final. When any order of revocation
 79 of a license or registration certificate, either absolutely or for a definite time,
 80 becomes effective, the Health Commissioner, or othe secretary of the proper
 81 board, as the case may be, shall cause a copy of such order of revocation to
 82 be filed in the office of the county clerk of the county where the original license,
 83 or registration certificate is recorded, if such license or registration certificate
 84 is required by law so to be recorded.

Sec. 9. The State Board of Health shall prepare and submit to the Gov-
 2 ernor biennially, not later than December first before each regular session
 3 of the General Assembly, a report of the work of the Department of Health,
 4 with a financial statement of revenues and expenditures for the two fiscal years
 5 preceding the date of the report, an estimate of revenues and expenditures for
 6 the current fiscal year, and an estimate of revenues and appropriations request-
 7 ed for the two following fiscal years, and recommendations to the Governor and
 8 General Assembly. Such report shall be transmitted to the General Assembly
 9 and shall be printed and distributed as provided by law.

10 The Health Commissioner, the Board of Medical Examiners, the State Board
 11 of Pharmacy, the State Board of Dental Examiners, and the Director of Food
 12 Inspection shall, respectively, not later than November first before each regular
 13 session of the General Assembly, make a report to the State Board of Health
 14 which shall be forwarded by the latter, together with any comments and recom-
 15 mendations, it may desire to make, to the Governor for transmission to the Gen-

16 eral Assembly, and such reports shall respectively be published for distribu-
17 tion as provided by law. Such reports shall, among other things, contain a
18 comprehensive summary of the work of the respective officers and boards for
19 the preceding biennial period, including a financial statement, and recommen-
20 dations to the Governor and the General Assembly.

ARTICLE II.

THE HEALTH COMMISSIONER.

Sec. 10. The Health Commissioner shall have the power and it shall be
2 his duty:

3 First: To be the executive and administrative head of the Department of
4 Health, and to be responsible for the administration of the affairs of the depart-
4½ ment.

5 Second: To see that all the provisions of this Act which impose duties on
6 the Department of Health or on any of its officers or employees (except the
7 State Board of Health, the State Board of Pharmacy, and the State Board of
8 Dental Examiners) are strictly enforced.

9 Third: To exercise supervision over all officers, agents and employees of
10 the department (except the State Board of Health, the State Board of Phar-
11 macy and the State Board of Dental Examiners) and to see that they perform
12 their duties faithfully and efficiently and to that end he shall have power to in-
13 vestigate the official conduct of any such officer, agent or employee.

14 Fourth: To prescribe the duties of all officers, agents and employees of the
15 department in so far as such duties are not prescribed or defined by this Act.

16 Fifth: To take cognizance of the interest of the health and lives of the
17 people of this State and of all matters pertaining thereto.

18 Sixth: To make investigations and inquiries with respect to the causes of
19 disease, especially epidemics, and to investigate the causes of mortality and the
20 effect of localities, employments and other conditions upon the public health, and
20½ to make such other sanitary investigations as he may deem necessary for the
21 preservation and improvement of the public health.

21½ Seventh: To obtain, collect and preserve such information relating to
 22 mortality, disease and health as may be useful in the discharge of his duties or
 23 may contribute to the promotion of health or to the security of life in this State.

24 Eighth: To prepare and promulgate, subject to the approval of the State
 25 Board of Health, all forms, rules, orders and regulations authorized by this Act,
 26 except as otherwise provided herein.

27 Ninth: To make all investigations and inspections required by this Act,
 28 except as otherwise provided herein.

29 Tenth: To make and enforce quarantine regulations when authorized by
 30 this Act.

31 Eleventh: To keep himself informed of the work of local health officers and
 32 agencies throughout the State.

33 Twelfth: To aid and assist when requested and the means at his disposal
 34 will permit, local health officers or agencies in the administration of the health
 35 laws.

36 Thirteenth: To promote efficient registration of births and deaths.

37 Fourteenth: To promote the information of the general public in all mat-
 38 ters pertaining to public health.

39 Fifteenth: To enlist the co-operation of the organizations of physicians
 40 and other agencies for the promotion of the public health in the improvement
 41 of health and sanitary conditions throughout the State.

42 Sixteenth: To issue all licenses, permits and authorizations that are au-
 43 thorized to be issued by this Act, except as otherwise provided herein, and, sub-
 44 ject to the provisions of this Act, to renew the same.

45 Seventeenth: Subject to the provisions of the civil service law to appoint
 46 and remove directors, registrars, inspectors, officers and employees of the de-
 47 partment, except as otherwise provided in this Act.

48 Eighteenth: To make such sanitary, food, drug, water, sewage, health and
 49 other inspections and examinations for the charitable, penal, educational and
 50 other institutions of the State, and for State buildings and property as may be
 51 requested by the officials in charge of such institutions or of such buildings:

52 *Provided*, that it shall be his duty to make an examination and inspection of the
53 sanitary conditions of all State institutions at least once each year and to
54 transmit a report of his investigation to the authority in charge of such in-
55 stitution.

56 Nineteenth: To inspect from time to time all hospitals, sanitarium and in-
57 stitutions conducted by county, city, village, or town authorities, and to report
58 as to the sanitary condition and needs of such hospitals, sanitarium and institu-
59 tions to the official authority having jurisdiction over them.

60 Twentieth: To prepare and, with the approval of the State Board of
61 Health, prescribe the necessary methods and forms for obtaining and preserv-
62 ing records of autopsies which are conducted by the coroners in this State; and
63 it shall be the duty of such coroners to follow such methods and forms.

64 Twenty-first: Subject to the provisions of this Act, to take steps to prevent
65 the pollution of streams and to regulate or prohibit the discharge of sewage and
66 other refuse matter into the waters of this State.

67 Twenty-second: To make sanitary inspections of every dairy farm where
68 milk or cream or milk products is produced for sale.

69 Twenty-third: To make examinations into nuisances, or questions affecting
70 the security of life and health in any locality.

71 Twenty-fourth: To prepare and, with the approval of the State Board of
72 Health, prescribe reasonable rules providing for the sanitary regulation of bar-
73 ber shops, and to enter any barber shop during business hours for the purpose
74 of inspection of such shop.

75 Twenty-fifth: To regulate the transportation of the remains of diseased
76 persons.

77 Twenty-sixth: From time to time to print, publish and distribute docu-
78 ments, reports, bulletins and other matter relating to the health and sanitary
79 condition of this State.

80 Twenty-seventh: To keep a record of all his official acts and doings.

81 Twenty-eighth: To perform such other duties as may be prescribed by
82 this or any other Act of the General Assembly.

Sec. 11. The Health Commissioner shall establish and maintain one or more
2 chemical and bacteriological laboratories with such expert and scientific assist-
3 ants and such facilities as are necessary for routine examinations and analysis
4 and for original investigation and research in matters affecting the public
5 health. He shall have authority to make, at the expense of the State, such ex-
6 aminations and analyses on his own initiative or at the request of any health
7 officer or of any physician.

Sec. 12. The Health Commissioner shall prepare, and with the approval of
2 the State Board of Health, prescribe the necessary methods and forms for
3 obtaining and preserving records and statistics of autopsies which are con-
4 ducted by the coroner or by his order within this State, and shall require all
5 those performing such autopsies for the purpose of determining the cause of
6 death to enter upon such record the pathological appearances and findings em-
7 bodying such information as may be prescribed, and to append thereto a diag-
8 nosis of the cause of death, and a copy thereof shall be duly filed within ten
9 (10) days with the coroner of the county in which such autopsy shall be held, and
10 a transcript thereof shall be filed within ten (10) days thereafter by the coroner
11 with the health commissioner, and it shall thereupon become a matter of public
12 record, which shall be opened to the inspection and transcription of and by any
13 one affected or likely to be affected in a civil or criminal action by its con-
14 tents.

Sec. 13. The Health Commissioner shall have all necessary powers to make
2 examinations into nuisances or questions affecting the security of life and health
3 in any locality. The health commissioner is authorized and empowered to order
4 in writing the abatement of all nuisances which he may find upon examination to
5 exist. In case of the non-compliance with such order in writing to abate such
6 nuisance, the person maintaining such nuisance shall be liable to a fine of not less
7 than one hundred (\$100) dollars, nor more than one thousand dollars (\$1,000)
8 to be recovered in an action of debt before any court of competent jurisdiction,

9 or in lieu thereof the health commissioner may, through the Attorney General
10 or the State's attorney of the proper county, file a bill for an injunction to re-
11 strain and prevent such nuisance, no matter by whom or by what authority com-
12 mitted.

Sec. 14. The Health Commissioner shall have supreme authority in matters
2 of quarantine. In case of the existence in any community of a communicable
3 disease, the health commissioner shall cause a quarantine to be established in
4 accordance with rules and regulations to be prepared by him, and approved by
5 the State Board of Health, or may modify or relax quarantine when it has been
6 established.

Sec. 15. It shall be the duty of all local boards of health, health authorities
2 and officers, police officers, sheriffs, constables and all other officers and em-
3 ployees of the State or of any county, city, village, town or township thereof
4 to enforce the rules and regulations that may be approved by the State Board
5 of Health. It shall be the duty of the Health Commissioner to investigate into
6 the cause of dangerously contagious or dangerously infectious diseases, especial-
7 ly when existing in epidemic form, and to take means to restrain and suppress
8 the same. And whenever any dangerously contagious or dangerously infectious
9 disease shall become or threaten to become epidemic in any city, village, town or
10 township and the local board of health or local authorities shall neglect or re-
11 fuse to enforce efficient measures for its restriction or suppression, or to act with
12 sufficient promptness or efficiency, or whenever the local board of health or local
13 authorities shall neglect or refuse promptly to enforce efficient measures for the
14 restriction or suppression of dangerously contagious or dangerously infectious
15 diseases the Health Commissioner may enforce such measures as he may deem
16 necessary to protect the public health, and all necessary expenses so incurred
17 shall be paid by the city, village, town, or county for which services are rendered.

Sec. 16. No person shall embalm, or prepare for transportation, any body
2 dead of a contagious or infectious disease, or embalm any dead body, or hold

3 himself out as practicing the art of embalming without a license issued by the
 4 health commissioner, or without a license heretofore issued by the State Board
 5 of Health. Any person violating the provisions of this section shall be deemed
 6 guilty of a misdemeanor and upon conviction thereof shall be fined not less than
 7 twenty-five (\$25) dollars and not more than two hundred (\$200) dollars for
 8 each offense: *Provided*, that this section shall not be construed to prevent un-
 9 dertakers and others from conducting funerals and burying dead bodies.

Sec. 17. Applications for examination shall be made to the health com-
 2 missioner, shall be accompanied by an examination and license fee of five (\$5)
 3 dollars and with proof that the applicant is of good moral character and is at
 4 least twenty-one years of age. Examinations shall be held twice yearly, notice
 5 of which shall be given by publicaion in at least one journal devoted to the
 6 interests of embalming, two daily newspapers and one medical journal, published
 7 in the State of Illinois. The applicant shall be examined in the following sub-
 8 jects:

9 Anatomy, sanitary science, the care, preservation, embalming, transporta-
 10 tion and burial of dead bodies, and shall demonstrate his proficiency as an em-
 11 balmer by operation on a cadaver. If the applicant shall successfully pass the
 12 examination the health commissioner shall issue to him a license authorizing
 13 him to practice the art of embalming and to handle and bury bodies dead of a
 14 contagious or infectious disease. All licenses shall expire on the thirty-first day
 15 of December following the date of their issuance. Licenses may be renewed an-
 16 nually upon application being made therefor within thirty days after the date of
 17 expiration and upon the payment of a renewal fee of one dollar. Licenses is-
 18 sued by the authorities of other states having practically equivalent require-
 19 ments may be recognized by the health commissioner.

Sec. 18. The Health Commissioner shall have power to inspect the streams
 2 and waters of this State with reference to the discharge into such waters of any
 3 sewage, garbage, offal, or any decomposable or putrescible matter of any kind
 4 or the effluent from any sewage disposal plant, or any substance, chemical or

5 otherwise, or any refuse or waste matter, either solid or liquid, from any sewer
6 or drainage system, municipal or private, or from any shop, factory, mill or in-
7 dustrial establishment. If, after such inspection, the health commissioner is of
8 the opinion that such discharge is polluting such streams or waters so as to
9 create a menace to health, or so as to create a public nuisance, he shall have power
10 to order the abatement of such nuisance in the manner provided by Section 13
11 of this Act.

ARTICLE III.

THE BOARD OF MEDICAL EXAMINERS.

(a) *Appointment and Powers of Board.*

Sec. 19. Upon the taking effect of this Act, the Governor shall appoint a
2 Board of Medical Examiners to consist of five (5) persons. One of the persons
3 so appointed shall hold office for one year; one for two years, one for three
4 years, one for four years and one for five years from the first day of July, A. D.
5 1915. Thereafter the Governor shall annually appoint a member to fill any
6 vacancy caused by the expiration of the term of office, and may at any time fill
7 vacancies on the board caused by death, resignation, removal or otherwise.

8 The Governor may remove any member of the Board of Medical Examiners
9 for misconduct, incapacity or neglect of duty. No person shall be appointed
10 a member of the Board of Medical Examiners who is not eligible to receive a li-
11 cense to practice medicine and surgery in the State of Illinois, and who has
12 not been in practice in this State for at least five (5) years next preceding the
13 date of his appointment; and no person shall be appointed to such Board of
14 Medical Examiners who is officially connected with or financially interested in
15 any medical college or medical department of any institution of learning. The
16 Board of Medical Examiners shall annually elect from its own number a chair-
17 man. The Health Commissioner shall *ex officio* be the secretary of such board.
18 The Board of Medical Examiners shall hold two or more meetings each year pur-
19 suant to the call either of its chairman or of the Health Commissioner. At any
20 meeting a majority of the members appointed shall constitute a quorum. Each

21 member shall receive the sum of \$10 per day for each day necessarily engaged
 22 in the performance of his official duties. The Governor shall issue to each
 23 member of the Board of Medical Examiners a commission as a member of such
 24 board. Each member shall take the constitution oath of office, which oath shall
 25 be filed in the office of the Secretary of State.

Sec. 20. The Board of Medical Examiners shall have the power and it shall
 2 be its duty:

3 First: To make rules and regulations for the conduct of the business of
 4 such board.

5 Second: To conduct hearings, to administer oaths and, through the health
 6 commissioner, to compel the attendance of witnesses and the production of books,
 7 papers or documents pertinent to any hearing conducted by such board.

8 Third: To receive, through the health commissioner, applications for cer-
 9 tificates and examinations to practice medicine and surgery, midwifery, other
 10 systems of treating human ailments, and nursing.

11 Fourth: To conduct examinations and grant and revoke licenses to prac-
 12 tice medicine and surgery, midwifery, and other systems of treating human ail-
 12½ ments.

13 Fifth: To conduct examinations and to grant and revoke certificates for
 14 registered nurses.

15 Sixth: To pass rules and regulations defining what shall constitute a med-
 16 ical college or medical department of a university or other institution reputa-
 17 ble and in good standing, and to determine the reputability and good standing
 18 of such medical colleges or medical departments or other institutions by refer-
 19 ence to compliance with such rules and regulations.

20 Seventh: To pass rules and regulations providing for and establishing a
 21 uniform and reasonable standard of maintenance, instruction and training to be
 22 observed by schools of nurses which are to be deemed reputable and in good
 23 standing, and to determine the reputability and good standing of such schools for
 24 nurses by reference to compliance with such rules and regulations.

25 Eighth: To outline and establish a course of instruction to be followed by
26 accredited schools for nurses and a system of inspection for such accredited
27 schools.

28 Ninth: To adopt and use a seal.

(b) *Medicine and Surgery and Midwifery.*

Sec. 21. No person shall hereafter begin the practice of medicine or any
2 of the branches thereof, or midwifery, in this State without first applying for
3 and obtaining a license granted by the Board of Medical Examiners. Applica-
4 tion shall be in writing, and shall be accompanied by the examination fee
5 hereinafter specified, and with proof that the applicant is of good moral char-
6 acter. Applications from candidates who desire to practice medicine and sur-
7 gery in all their branches shall be accompanied by proof that the applicant is
8 a graduate of a medical college or medical department of a university or other
9 institution reputable and in good standing, as may be determined by the Board
10 of Medical Examiners. When the application aforesaid has been inspected by
11 the Board of Medical Examiners, and found to comply with the foregoing pro-
12 visions, the Board of Medical Examiners shall notify the applicant to appear
13 before it for examination, at the time and place mentioned in such notice.

14 Examinations may be made in whole or in part in writing by the Board of
15 Medical Examiners and shall be of a character sufficiently strict to test the
16 qualifications of the candidate as a practitioner. The examination of those who
17 desire to practice medicine and surgery in all their branches shall embrace those
18 general subjects and topics, a knowledge of which is commonly and generally
19 required of candidates for the degree of doctor of medicine, by reputable medi-
20 cal colleges in the United States. The examination of those who desire to prac-
21 tice midwifery shall be of such a character as to determine the qualification of
22 the applicant to practice midwifery. The examination of those who desire to
23 practice any other system or science of treating human ailments who do not use
24 medicines internally or externally, and who do not practice operative surgery,
25 shall be of a character sufficiently strict to test their qualifications as practi-
26 tioners.

27 All examinations provided for in this article shall be conducted under rules
28 and regulations prescribed by the Board of Medical Examiners, which shall
29 provide for a fair and wholly impartial method of examination.

Sec. 22. The Board of Medical Examiners shall require that every appli-
2 cant for a license to practice medicine and surgery in all their branches, in the
3 State of Illinois (excepting only those physicians who may be entitled to a
4 license under Section 24) shall present proof satisfactory to said Board of Med-
5 ical Examiners that he is a graduate of a medical college or medical department
6 of a university or other institution reputable and in good standing, as may be
7 determined by the Board of Medical Examiners and pass, before said Board of
8 Medical Examiners, an examination embracing those general subjects and topics,
9 a knowledge of which is commonly and generally required of candidates for the
10 degree of doctor of medicine, by reputable medical colleges in the United States:
11 *Provided*, that the Board of Medical Examiners may, in its discretion, admit
12 to examination a student who has completed, in a medical college or medical de-
13 partment of a university or other institution determined to be reputable and
14 in good standing, the course of instruction required by the rules of said Board
15 of Medical Examiners in medical colleges and medical departments of univer-
16 sities and other institutions determined to be reputable and in good standing,
17 and who has passed the examinations of such college, department or institution,
18 but has not received a diploma: *Provided, further*, that such medical college,
19 department or institution shall require as a pre-requisite to graduation, a
20 course of study extending over at least five calendar years. And if said student
21 pass the examinations of the board it may issue to him a limited license author-
22 izing him to practice medicine and surgery in a hospital approved by the Board
23 of Medical Examiners and in no other place whatsoever in the State of Illinois,
24 which limited license shall remain in effect for a period not exceeding eighteen
25 months from the date thereof, and the Board of Medical Examiners may then
26 issue to the applicant the regular permanent license of the Board of Medical
27 Examiners without further examination or fee, on condition that the applicant

28 present a diploma from the medical college, department or institution in which
29 he has completed a course, as prescribed by the rules of the Board of Medical
30 Examiners previous to the issuance of the limited license hereinbefore men-
31 tioned, and otherwise complies with the requirements of the Board of Medical
32 Examiners.

Sec. 23. The Board of Medical Examiners shall be empowered to establish
2 a standard of preliminary education deemed requisite to admission to a medical
3 college, department or institution reputable and in good standing, and to require
4 satisfactory proof of the enforcement of this standard by medical colleges, de-
5 partments and institutions: *Provided*, that the Board of Medical Examiners
6 shall not recognize examinations of applicants for admission to medical colleges,
7 departments or institutions that have been conducted by the faculty or officers
8 of a medical college, department or institution: *And, provided, further*, that the
9 diploma of an approved high school or equivalent school, based on a course of
10 studies approved by the Board of Medical Examiners requiring an attendance
10½ through four school years, or a certificate of having passed a satisfactory exam-
11 ination before the Superintendent of Public Instruction, or like officer of an-
11½ other State vested with power and authority similar to the power and authority
12 of the Superintendent of Public Instruction in this State, in the required
12½ studies embraced in the curriculum of such approved high school
13 shall be considered satisfactory evidence of preliminary education:
14 *And, provided, still further*, that the Superintendent of Public Instruc-
15 tion shall be empowered to exact a fee of five dollars from each applicant for
16 such examination. The Board of Medical Examiners shall also be empowered
17 to determine the standing of literary or scientific colleges, high schools, sem-
18 inaries, normal schools, preparatory schools, and the like, and the Board of
19 Medical Examiners may, in its discretion, accept as the equivalent of one or
20 more of the sessions or terms prescribed in its requirements governing medical
21 colleges, departments or institutions reputable and in good standing, attendance

22 in literary or scientific college in good standing, as evidenced by a degree from
23 such institution, providing that the standards of such literary or scientific col-
24 lege are fully equal to those of the University of Illinois.

Sec. 24. If the applicant successfully passes his examination, the Board of
2 Medical Examiners shall grant to such applicant a license authoriz-
3 ing him to practice medicine, midwifery or other system of treat-
4 ing human ailments, as the case may be: *Provided*, that those who are
5 authorized to practice other systems cannot use medicine internally or exter-
6 nally or perform surgical operations: *Provided, further*, that only those who
7 are authorized to practice medicine and surgery in all their branches shall call
8 or advertise themselves as physicians or doctors: *And, provided, further*, that
9 those who are authorized to practice midwifery shall not use any drug or medi-
10 cine, except the external use of antiseptics or prophylactics, or attend other
11 than cases of labor. Such license shall be in such form as may
12 be determined by the Board of Medical Examiners, and in accordance
13 with the provisions of this Act: *Provided, however*, that any willful violation
14 on the part of an applicant of any of the rules and regulations of the Board of
15 Medical Examiners governing examinations shall be sufficient cause for the
16 Board of Medical Examiners to refuse to issue a license to such applicant.
17 Such licenses shall be issued in the name of the Board of Medical Examiners,
18 attested by the secretary, with the seal of the Board of Medical Examiners at-
19 tached.

20 The Board of Medical Examiners, in its discretion, may grant a license,
21 without examination, on the payment of the proper fees, to a physician, who is a
22 graduate of a medical college or medical department of a university or other in-
23 stitution reputable and in good standing, and has been licensed in any country,
24 state or territory, in which the requirements of medical registration are deemed
25 by the Board of Medical Examiners to have been practically equivalent to the
26 requirements of medical registration in force in Illinois, under the provisions of

27 this article: *Provided*, that such country, state or territory shall accord a like
28 privilege to physicians who hold licenses issued by authority of this State. And
29 the Board of Medical Examiners may also, in its discretion, issue a license
30 without examination to a physician who is a graduate of a medical college or a
31 medical department of a university or other institution reputable and in good
32 standing, and has passed an examination before the United States Army, the
33 United States Navy, or the United States Public Health Service.

Sec. 25. Every person holding a license from the Board of Medical Ex-
2 aminers shall have it recorded in the office of the clerk of the county in which
3 he resides or practices within three months from its date, and the date of record-
4 ing shall be endorsed thereon. Until such license is recorded, as herein pro-
5 vided, the holder thereof shall not exercise any of the rights or privileges con-
6 ferred therein. Any person practicing in another county shall record the license
7 in like manner in the county in which he practices, and the holder of the license
8 shall pay to the county clerk the usual fee for making the record. The county
9 clerk shall keep, in a book provided for the purpose, a complete list of the cer-
10 tificates recorded by him, with the date of the issue of the certificate. The
11 register of the county clerk shall be open to public inspection during business
12 hours.

Sec. 26. The fees for examination and for a license shall be as follows:
2 Ten (\$10) dollars for examination in medicine and surgery, and five (\$5) dol-
3 lars for a license if issued: Five (\$5) dollars for an examination in midwifery,
4 and three (\$3) dollars for a license if issued; for all other practitioners ten
5 (\$10) dollars for an examination and five (\$5) dollars for a license if issued.

Sec. 27. Any person shall be regarded as practicing medicine, within the
2 meaning of this Article, who shall treat or profess to treat, operate on or pre-
3 scribe for any physical ailment or any physical injury to or deformity of another:
4 *Provided*, that nothing in this section shall be construed to apply to the admin-
5 istration of domestic or family remedies in cases of emergency, or to the laws

6 regulating the practice of dentistry or of pharmacy. And this Article shall not
7 apply to surgeons of the United States Army, the United States Navy or the
8 United States Public Health Service in the discharge of their official duties, or
9 to any person who administers to or treats the sick or suffering by mental or
10 spiritual means, without the use of any drug or material remedy.

Sec. 28. Any person practicing medicine or surgery or treating human ail-
2 ments in the State without a license issued under any previous law of this State
3 before this Act takes effect, or without a license issued by the Board of Medical
4 Examiners in compliance with the provisions of this article, shall for each and
5 every instance of such practice or violation forfeit and pay to the people of the
6 State of Illinois the sum of one hundred (\$100) dollars for the first offense, and
7 two hundred (\$200) dollars for each subsequent offense, the same to be recovered
8 in an action of debt before any court of competent jurisdiction, and any per-
9 son filing or attempting to file as his own the diploma or certificate of another,
10 or a forged affidavit of identification, shall be guilty of a felony, and upon convic-
11 tion shall be subject to such fine and imprisonment as are made and provided
12 by the statutes of the State for the crime of forgery. Whoever shall practice
13 medicine within this State in the name of another physician, or shall hold him-
14 self out as another physician by advertisements, bills, posters, or otherwise for
15 the purpose of defrauding any other person shall be subject to a fine of not less
16 than five hundred (\$500) dollars for the first offense, and imprisonment for a
17 period of six (6) months in the county jail of the county in which the offense
18 is committed for each offense committed thereafter.

Sec. 29. Upon the conviction of either of the offenses mentioned in Section
2 28 of this Act the court shall, as a part of the judgment, order that the defendant
3 be committed to the common jail of the county until the fine and costs are paid,
4 and upon failure to pay the same immediately the defendant shall be commit-
5 ted under said order for the first offense not more than thirty (30) days, and
6 for each subsequent offense not more than ninety (90) days: *Provided, that*

7 either party may appeal in the same time and manner as appeals may be
8 taken in other cases, except that where an appeal is prayed on behalf of the
9 people, no appeal bond shall be required to be filed, whether the appeal be
10 from the justice of the peace or from the county or circuit court, or from the
11 appellate court. But it shall be sufficient on behalf of the People of the State
12 of Illinois to pray an appeal, and thereupon such appeal shall be had without
13 bond or security.

(c). *Registered Nurses.*

Sec. 30. It shall be the duty of the Board of Medical Examiners to meet
2 for the purpose of holding examinations for registered nurses not less fre-
3 quently than twice a year, at times and places to be determined by such board.
4 Notices stating the time and place for the holding of such meetings shall be
5 published in at least one newspaper of general circulation in each of the cities
6 of Chicago and Springfield, and also in at least one journal devoted to the in-
7 terests of professional nursing, at least thirty (30) days, and not more than
8 sixty (60) days, before the date set for holding the meeting. Notice of such
9 examinations shall also be sent by mail to every person whose application for
10 examination has been approved and is on file, and also to every accredited
11 school for nurses in Illinois, at least thirty (30) days prior to the meeting. At
12 such meetings it shall be the duty of the board to examine all applicants for
13 registration who present themselves, and to issue a certificate of registration to
14 each applicant who passes the prescribed examination to the satisfaction of the
15 board. Each person to whom such certificate shall be issued, or any renewal
16 thereof as hereinafter provided, shall, within ninety (90) days thereafter cause
17 the same to be presented at the office of the county clerk of the county in which
18 such person resided at the time of filing the application and cause said certifi-
19 cate or any renewal thereof to be recorded. The county clerk shall charge
20 twenty-five (25) cents for recording such certificate. Failure, or refusal on the
21 part of any person obtaining a certificate for registration as a nurse, or any

22 renewal thereof, to record the same with the county clerk of the county in which
23 such person resided at the time of application, within ninety (90) days from
24 issue of the same, shall work a revocation of such certificate: *Provided*, however,
25 that a certificate revoked for failure or refusal of its holder to record the same
26 may be restored upon application to the board and the payment of a fee of two
27 (\$2) dollars for the issuance of a new certificate. Each person so registered
28 as a nurse shall be prepared, when requested in connection with work as a nurse,
29 to exhibit such certificate of registration or a certified copy thereof.

Sec. 31. Every county clerk shall keep in a book provided for the pur-
2 pose, a complete list of all the certificates recorded by him under the provisions
3 of this article, together with the date of the issuance and recording of such
4 certificate.

Sec. 32. No person, unless previously registered or licensed to act as a
2 registered nurse in this State at the time this Act shall become operative, shall
3 be allowed to act as a registered nurse without first applying for and obtaining
4 a certificate for such purpose. Application shall be made in writing and shall
5 in every instance be accompanied by the examination fee of ten (\$10) dollars, to-
6 gether with satisfactory proof that the applicant is residing in the State of Illi-
7 nois, is of good moral character, is at least twenty-two (22) years of age at
8 the time of making the application, is a graduate of and has a diploma from an
9 accredited school for nurses connected with a general hospital requiring a
10 systematic course of at least three (3) years' training, and possesses such
11 other qualifications as may be prescribed from time to time by the rules of the
12 board: *Provided*, however, an application may be made by one who under the
13 rules of an accredited school for nurses will be entitled to receive a diploma
14 within three months following the date of filing said application; but no cer-
15 tificate shall be issued to such applicant until he or she has received such di-
16 ploma, and has satisfactorily passed the prescribed examination. When such ap-

17 plication and the accompanying proof are found satisfactory, the board shall
18 notify the applicant to appear before it for examination at a time and place
19 to be fixed by the board.

20 Examination may be made orally and in writing, and shall be of a char-
21 acter to test the qualifications of the applicant to serve as a registered nurse.
22 All examinations shall be conducted by the board, which shall provide for a
23 fair and wholly impartial method. After an applicant shall have paid a fee of ten
24 (\$10) dollars on the filing of an application for examination, any subsequent ap-
25 plication of the same person shall be taken without the payment of a fee: *Pro-*
26 *vided*, however, the board upon written application and upon the payment of
27 ten (\$10) dollars as a registration fee, may issue a certificate without examin-
28 ation of the applicant who shall have been registered as a registered nurse under
29 the law of another state having requirements which in the opinion of a majority
30 of the members of the board are of equal or higher standard than those of the
31 State of Illinois for registration of nurses.

Sec. 33. Applicants shall also be eligible for examination for registration
2 who at the time of application shall have graduated and received a diploma
3 from a school of nurses connected with any hospital in good standing requir-
4 ing a systematic course of at least two (2) years' training and who, being of
5 the age herein prescribed or over and of good moral character, shall, at the time
6 of application, have obtained in any hospital of good standing one (1) year's
7 additional training in subjects not adequately taught in the school for nurses
8 from which they graduated, and shall satisfactorily pass an examination to de-
9 termine their fitness and ability to give efficient care to the sick.

Sec. 34. It shall be unlawful hereafter for any person to practice or at-
2 tempt to practice in this State as a registered nurse without a certificate issued
3 under the laws of this State. Any person who has received such a certificate
4 shall be styled and known as a registered nurse, and shall be entitled to ap-

pend the letters "R. N." to his or her name. No person shall assume or use, or knowingly allow or permit any other person to use, such abbreviation, "R. N." or any other words, letters or figures after his own name or after the name of any other person for the purpose of indicating that such person is a registered nurse, unless the person after whose name the said letters, abbreviations or words are so used, is in fact a registered nurse and entitled under the provisions of this article to act as such.

Sec. 35. Any person who shall practice, or in any way represent himself or herself, or any other person, as a registered nurse in this State without such person holding a certificate duly registered and recorded, shall be subject to prosecution in any court of competent jurisdiction upon complaint, information or indictment, and shall, upon conviction, be fined for each offense in any sum not more than one hundred (\$100.00) dollars for the first offense nor more than two hundred (\$200.00) dollars for each subsequent offense.

Any person who shall willfully make any false representation to the board in applying for a certificate, shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not more than \$200.00.

Nothing herein contained shall affect or apply to the gratuitous nursing of the sick by friends or members of the family, nor to any person nursing the sick for hire, who does not in any way assume or pretend to be a registered nurse; and this article shall not interfere in any manner with members of religious communities who have charge of hospitals, or who are engaged in nursing in hospitals, or take care of the sick in their own homes, provided such members do not in any way assume to be registered nurses.

ARTICLE IV.

STATE BOARD OF PHARMACY.

Sec. 37. The State Board of Pharmacy is hereby continued. At the expiration of the terms of office of the members of the State Board of Pharmacy

3 the Governor shall appoint a member or members to fill vacancies caused by the
4 expiration of the term or terms of office, and may at any time fill vacancies on
5 the board caused by death, resignation, removal or otherwise. The Governor
6 may remove any member of the State Board of Pharmacy for misconduct, inca-
7 pacity or neglect of duty. No person shall be appointed a member of the State
8 Board of Pharmacy who is not a competent registered pharmacist, and who has
9 not had ten (10) years practical experience in the dsipensing of physicians'
10 prescriptions since such registration. No person shall be eligible to appoint-
11 ment who is officially connected with or financially interested in any school of
12 pharmacy or pharmacy department of any institution of learning. The term of
13 office shall be five (5) years, and shall be so arranged that the term of one mem-
14 ber shall expire on the 31st day of December of each year. The Illinois Phar-
15 maceutical Association shall annually report direct to the Governor recommend-
16 ing the names of at least three persons whom said association shall deem best
17 qualified to fill any vacancy which shall occur on the State Board of Pharmacy.
18 The State Board of Pharmacy shall annually elect from its own number a chair-
19 man, and, either from its own number or otherwise, a secretary. The State
20 Board of Pharmacy shall hold two or more meetings each year pursuant to the
21 call of its chairman, and such other meetings as may be fixed by its rules. At
22 any meeting a majority of the members appointed shall constitute a quorum.
23 Each member shall receive the sum of ten dollars per day for each day neces-
24 sarily engaged in the performance of his official duties. The secretary shall
25 receive a salary of \$3,000 per annum, payable in equal monthly installments.
26 The Governor shall issue to each member of the State Board of Pharmacy a
27 commission as a member of such board. Each member shall take the constitu-
28 tional oath of office, which oath shall be filed in the office of the Secretary of
29 State.

Sec. 38. The State Board of Pharmacy shall have the power and it shall
2 be its duty:

3 First: To make rules and regulations for the conduct of the business of
4 such board.

5 Second: To examine all applicants for registration under this article sub-
6 mitted in proper form.

7 Third: To grant certificates of registration to such persons as may be en-
8 titled to the same under the provisions of this article, and to revoke certifi-
9 cates of registration.

10 Fourth: To cause the prosecution of all persons violating the provisions
11 of this article.

12 Fifth: To hold meetings for the examination of applicants for registration
13 at least once in six (6) months, one of which meetings shall be held in the City
14 of Chicago, and one in the City of Springfield, and it shall give thirty (30) days'
15 public notice of the time and place of such meetings, respectively.

16 Sixth: To keep a book of registration in which shall be entered the names
17 and places of business of all persons registered under this article, which book
18 shall also specify such facts as such persons shall claim to justify their regis-
19 tration.

20 Seventh: To conduct hearings, to administer oaths and to compel the at-
21 tendance of witnesses and the production of books, papers and documents per-
22 tinent to any hearing conducted by such board.

23 Eighth: To adopt and use a seal.

Sec. 39. It shall be unlawful for any person, not a registered pharmacist
2 within the meaning of this article, to open or conduct any pharmacy, dispensary,
3 drug store, apothecary, shop or store, for the purpose of retailing, compound-
4 ing or dispensing drugs, medicine or poisons; and any person violating the pro-
5 visions of this section shall be liable to a penalty of not less than twenty (\$20.00)
6 dollars nor more than one hundred (\$100.00) dollars for every such violation:
7 *Provided, however, that nothing in this article will prevent any person or per-*

sons owning a drug store or pharmacy, who shall employ and place in active and personal charge of the same, a registered pharmacist, and that nothing herein contained shall apply to nor in any manner interfere with the practice of any physician or prevent him from supplying to his patients such articles as may seem to him proper, nor with the exclusive wholesale business of any wholesale druggist: *Provided*, that nothing contained in this article shall apply to the sale of patent or proprietary preparations which do not contain cocaine, alpha or beta eucaine, or any salt or any compound or derivative of the foregoing substances, when sold in original and unbroken packages.

Sec. 40. That it shall be unlawful for the proprietor of any drug store or pharmacy to allow any person in his employ, except a registered pharmacist or registered assistant pharmacist, to compound, recommend, dispense, or sell at retail, drugs, medicines or poisons, or except an apprentice under the immediate supervision of a registered pharmacist as hereinafter provided. Any person violating the provisions of this section shall be liable to a fine of not less than twenty (\$20.00) dollars nor more than one hundred (\$100.00) dollars for each and every such offense.

Sec. 41. The term drug store or pharmacy shall for all purposes of this article, be construed to mean a shop, store or other place of business where drugs, medicines or poisons are compounded, dispensed or sold at retail.

Sec. 42. Registered pharmacists, by examination, must be persons not less than 21 years of age, of good moral character, and temperate habits, and who have had four years' practical experience in compounding drugs in drug stores where the prescriptions of medical practitioners are compounded, or regularly licensed physicians, and have passed a satisfactory theoretical and practical examination before the State Board of Pharmacy. Such board may, in its discretion, grant certificates of registration to such persons as shall furnish with their application satisfactory proof that they have been registered by examina-

tion in some other State: *Provided*, that such other State shall require a degree of competency equal to that required of applicants in this State. Every applicant for registration as a registered pharmacist shall pay to the secretary of the board the sum of ten (\$10.00) dollars at the time of filing the application. The payment of such sum of money shall entitle the applicant to take a second examination in case he failed in the first, but no more: *Provided*, such second examination is taken within six months of the first; and upon the payment of an additional five (\$5.00) dollars in case the applicant passes a satisfactory examination, the secretary of the State Board of Pharmacy shall issue to him a certificate as a registered pharmacist.

Actual time of attendance, but not to exceed two years, at any reputable school of pharmacy, college of pharmacy or department of pharmacy of a university, shall be accredited on the above required service under a registered pharmacist: *Provided*, that applicants are able to show by proper certificates from the school of pharmacy, college of pharmacy or department of pharmacy of a university which they have attended that their school work was satisfactory.

The State Board of Pharmacy shall make rules to establish a uniform and reasonable standard of educational requirements to be observed by schools and colleges of pharmacy or pharmacy departments of universities, and such board may determine the reputability of schools, colleges and departments of pharmacy by reference to their compliance with such rules.

Sec. 43. Any person shall be entitled to registration as a local registered pharmacist and shall be deemed a local registered pharmacist within the meaning of this article who is of the age of twenty-one (21) years or over, of good moral character and temperate habits; and who shall have had four years' service under a registered pharmacist and shall pass a satisfactory examination before the State Board of Pharmacy. Each applicant for registration as a local registered pharmacist shall pay to the board the sum of ten (\$10.00) dollars

8 when his application is filed. The payment of such sum of money shall entitle the
9 applicant to take a second examination in case he failed in the first, but no more:
10 *Provided*, that such second examination is taken within six months of the first,
11 and upon the payment of an additional five (\$5.00) dollars, in case the applicant
12 passes a satisfactory examination, the secretary of the State Board of Phar-
13 macy shall issue to him a certificate as a local registered pharmacist. Such
14 board shall have the right to refuse registration to applicants whose examina-
15 tions and credentials are not satisfactory evidence of their competency. Such
16 certificate shall be operative in and apply to the village, town, city, place or lo-
17 cality for which granted and no other.

18 Actual time of attendance, but not to exceed two years, at any reputable
19 school of pharmacy, college of pharmacy or department of pharmacy of a uni-
20 versity shall be accredited on the above required service under a registered
21 pharmacist: *Provided*, that applicants are able to show by proper certificates
22 from the school of pharmacy, college of pharmacy or department of pharmacy
23 of a university which they have attended that their school work was satisfac-
24 tory.

25 *Provided*, that no local registered pharmacist certificate shall be granted
26 under this section for any village, town, or city, the population of which ex-
27 ceeds 1,500 according to the federal census next preceding.

28 *Provided, further*, that any and all persons holding registered pharmacist
29 time service certificates heretofore issued may have the same renewed from year
30 to year in the same manner and under the same conditions as are provided
31 herein for the renewal of registered pharmacist certificates.

Sec. 44. Any person shall be entitled to registration as an assistant phar-
2 macist who is of the age of 18 years or over, of good moral character and tem-
3 perate habits, and who shall have had three years' service under a registered
4 pharmacist and shall pass a satisfactory examination before the State Board

5 of Pharmacy. Each applicant for registration as assistant pharmacist shall pay
6 to the board the sum of five (\$5.00) dollars when his application is filed. The
7 payment of such sum of money as aforesaid shall entitle the applicant to take a
8 second examination, in case he failed in the first, but no more: *Provided*, that
9 such second examination is taken within six months of the first; and upon the
10 payment of an additional five (\$5.00) dollars, in case the applicant passes a satis-
11 factory examination, the secretary of the State Board of Pharmacy shall issue
12 to him a certificate as a registered assistant pharmacist. Such board shall have
13 the right to refuse registration to applicants whose examinations and creden-
14 tials are not satisfactory evidence of their competency. Any assistant pharmacist
15 shall have the right to act as clerk or salesman in a drug store or pharmacy
16 during the temporary absence of the registered pharmacist.

17 Actual time of attendance, but not to exceed one year, at any reputable
18 school of pharmacy, college of pharmacy or department of pharmacy of a uni-
19 versity, shall be accredited on the above required service under a registered
20 pharmacist: *Provided*, that applicants are able to show by proper certificates
21 from the school of pharmacy, college of pharmacy or department of pharmacy
22 of a university which they have attended that their school work was satis-
23 factory.

Sec. 45. It shall be the duty of registered pharmacists, who take into their
2 employ an apprentice for the purpose of becoming a pharmacist, to instruct
3 such apprentice to apply to the State Board of Pharmacy for registration as ap-
4 prentice, and the State Board of Pharmacy shall have the right to require such
5 an examination as shall establish the educational qualifications of the appli-
6 cant, and the date of experience required of applicants for assistant, or regis-
7 tered pharmacists, shall be computed from the date of the registration as an
8 apprentice. The State Board of Pharmacy shall furnish proper blanks for this
9 purpose and issue a certificate of registration as a registered apprentice upon
10 the payment of two dollars.

Sec. 46. All certificates issued by the State Board of Pharmacy shall expire on the thirty-first day of December following the date of the issuance of the same.

Every registered pharmacist engaged in the active practice of his profession shall annually, during the time he continues in such active practice, pay to the State Board of Pharmacy a renewal fee, to be fixed by the board, but which shall in no case exceed \$1.50 if paid between the first day of January and the first day of March of each year, nor \$3.00 if paid between the first day of March and the first day of April of each year, nor \$5.00 if paid between the first day of April and the first day of May of each year. The payment of such renewal fee shall entitle him to a renewal of his certificate.

Every assistant pharmacist engaged in the active practice of his profession shall annually, during the time he continues in such active practice, pay to the State Board of Pharmacy a renewal fee to be fixed by the board, but which shall in no case exceed \$1.00 if paid between the first day of January and the first day of March of each year, nor \$2.00 if paid between the first day of March and the first day of April of each year, nor \$4.00 if paid between the first day of April and the first day of May of each year. The payment of such renewal fee shall entitle him to a renewal of his certificate. If the renewal fee for any certificate the holder of which is actively engaged in the practice of his profession be not paid by the first day of May of each year, such certificate is hereby declared null and void, and the holder thereof may be reinstated as a registered pharmacist or assistant pharmacist only by passing a successful examination before the State Board of Pharmacy: *Provided*, that actual retirement from the profession of any registered pharmacist or assistant pharmacist for a period not exceeding five years shall not deprive him of the right to renew his registration upon the payment of all lapsed fees.

The State Board of Pharmacy may refuse registration, or renewal of certificates to, or may suspend the certificates of registered pharmacists, local registered pharmacists, or assistant pharmacists, who are proved to be so addicted to the excessive use of stimulants or narcotics as to render them unsafe to

32 handle or sell drugs, medicines and poisons or who are proved not to be of good
33 moral character.

34 If the holder of any certificate of pharmacy granted under the provisions
35 of this article shall refuse or neglect conspicuously to display the same in the
36 drug store, pharmacy or department to which it applies, or if any registered
37 pharmacist who conducts a drug store, pharmacy or department shall neglect
38 or refuse conspicuously to display his name over the door or department, he
39 shall be liable on conviction thereof to pay a penalty of not less than twenty
40 (\$20.00) dollars nor more than fifty (\$50.00) dollars.

Sec. 47. Any person who shall willfully make any false representation to
2 procure registration for himself, or any other person, shall, for each and every
3 offense, be liable to a penalty of fifty (\$50.00) dollars.

Sec. 48. No person shall sell at retail any drug, medicine or poison without
2 affixing to the box, bottle, vessel, or package containing the same a label bear-
3 ing the name of the article distinctly shown, with the name and place of business
4 of the registered pharmacist from whom the article was obtained: *Provided*,
5 nothing in this section shall apply to the sale of patent or proprietary prepara-
6 tions which do not contain cocaine, alpha or beta eucaine, or any salt or any
7 compound or derivative of the foregoing substances, when sold in original and
8 unbroken packages, nor with the dispensing of physicians' prescriptions, nor
9 with the sale of paris green or lead arsenate when sold for insecticide purposes
10 only. Every proprietor or manager of a drug store or pharmacy, shall keep
11 in his place of business a suitable book or file, in which shall be preserved for
12 a period of not less than five years, the original of every prescription com-
13 pounded or dispensed at such store or pharmacy, numbering, dating and filing
14 them in the order in which they were compounded, and shall produce the same
15 in court or before any grand jury whenever thereto lawfully required. Said
16 book or file of original prescriptions shall at all times be open for inspection by
17 duly authorized officers of the law. Any person failing to comply with the re-

18 quirements of this section shall be liable to a penalty of five (\$5.00) dollars for
19 each and every offense.

Sec. 49. No druggist or other person shall manufacture, compound or sell
2 or offer for sale, or cause to be manufactured, compounded, sold or offered for
3 sale any medicine or preparation under or by a name recognized in the United
4 States Pharmacopœia or National Formulary for internal or external use, which
5 differs from the standard of strength, quality or purity, as determined by the
6 test laid down in the United States Pharmacopœia or National Formulary offi-
7 cial at the time of such manufacture, compounding, sale or offering for sale.
8 Nor shall any druggist or other person manufacture, compound, sell or offer
9 for sale, or cause to be manufactured, compounded, sold or offered for sale, any
10 drug, medicine, chemical or pharmaceutical preparation, the strength or purity
11 of which shall fall below the professed standard of strength or purity under
12 which it is sold. Nor shall any druggist or other person being requested by
13 means of a prescription, or in any manner, to sell, furnish or compound any drug,
14 medicine, chemical or pharmaceutical preparation, substitute or cause to be sub-
15 stituted therefor, without notification to the purchaser, any other drug, medicine,
16 chemical or pharmaceutical preparation. Any person violating any provision of
17 this section upon conviction shall be liable to all the costs of the action and all the
18 expenses incurred by the State Board of Pharmacy in connection therewith, and
19 for the first offense shall be fined not less than ten dollars nor more than one
20 hundred dollars, and for each subsequent offense shall be fined not less than
21 seventy-five dollars nor more than one hundred and fifty dollars. The State
22 Board of Pharmacy is hereby empowered to employ an analyst or chemist ex-
23 pert, whose duty it shall be to examine into any claimed adulteration, substi-
24 tution or alteration or other violation hereof, and report upon the result of
25 his investigation, and, if such report justify such action, the board shall cause
26 the offender to be prosecuted.

Sec. 50. It shall be unlawful for any druggist or other person to retail,
2 sell or give away any cocaine, alpha or beta eucaine, or any salt or any com-

3 pound, or derivative of any of the foregoing substances or any preparation or
 3½ compound containing any of the foregoing substances, or any of their salts or
 4 compounds, or derivatives, except upon the written prescription of a duly regis-
 5 tered physician, which prescription shall contain the name and address of the
 6 person for whom prescribed, and the date the same shall have been filled, and
 7 shall be permanently retained on file by the person, firm or corporation, where the
 8 same shall have been filled but once, and of it no copy shall be taken by any per-
 9 son, and the original shall at all times be open to the inspection of the prescrib-
 10 ed, to the State Board of Pharmacy, and all officers of the law; except, however,
 11 that such cocaine, alpha or beta eucaine, or any salt, or any compound, or any
 12 derivative of the foregoing substances, or any preparation or compound contain-
 13 ing any of the foregoing substances, or any of their salts or compounds, or deriv-
 14 atives, may lawfully be sold at wholesale upon the written order of a licensed
 15 pharmacist, or licensed druggist, duly registered practicing physician, licensed
 16 veterinarian, or licensed dentist: *Provided*, that the wholesale dealer shall affix
 17 or cause to be affixed to the bottle, box, vessel or package, containing the article
 18 sold, and upon the outside wrapper of the package as originally put up, a label,
 19 distinctly displaying the name and quantity of cocaine, alpha or beta eucaine, or
 20 any salt or compound, or derivative of any of the foregoing substances, sold, and
 21 the word "poison", with the name and place of business of the seller, all printed
 22 in red ink: *And, provided, also*, that the wholesale dealer shall, before delivering
 23 any of the articles, make or cause to be made in a book kept for the purpose, an
 24 entry of the sale thereof, stating the date of the sale, the quantity, name and
 25 form in which sold, the name and address of the purchaser, and the name of
 26 the person by whom the entry is made; and such book shall always be open for
 27 the inspection of the proper officers of the law, and shall be preserved for at
 28 least five years after the date of the last entry made therein.

Sec. 51. It shall be unlawful for any duly registered physician or other
 2 person, to prescribe, sell or offer for sale, dispense or give away any cocaine,
 3 alpha or beta eucaine, or any salt or compound or derivative of the foregoing

4 substances, or any of their salts or compounds or derivatives, or preparation
5 or compound containing any of the foregoing substances, to any person addict-
6 ed to the habitual use of cocaine, alpha or beta eucaine, or any salt or compound
7 or derivative of the foregoing substances, in any form.

Sec. 52. Any person violating any of the provisions of the foregoing sec-
2 tions 50 and 51 shall be guilty of a misdemeanor, and for the first offense shall
3 be fined not more than one thousand (\$1,000) dollars, or imprisoned in the county
4 jail not more than one year, or both, and for each succeeding offense shall be
5 fined not less than two hundred (\$200) dollars, nor more than one thousand
6 (\$1,000) dollars, or imprisoned not less than three months nor more than twelve
7 months in the county jail, or both; and if the person so offending shall have a
8 license as a physician, dentist or pharmacist, such license shall be revoked.

Sec. 53. All suits for the recovery of the several penalties prescribed in
2 this article shall be prosecuted in the name of the "People of the State of Illi-
3 nois", in any court having jurisdiction, and it shall be the duty of the State's
4 Attorney of the county where such offense is committed to prosecute all persons
5 violating the provisions of this article upon proper complaint being made.

ARTICLE V.

BOARD OF DENTAL EXAMINERS.

Sec. 54. The Illinois State Board of Dental Examiners (hereinafter re-
2 ferred to as the board of dental examiners) is hereby continued, and shall
3 consist of five (5) practicing dentists. At the expiration of the term or terms
4 of office of the members of such board of dental examiners, the governor shall
5 appoint successors to such members. The term of office shall be five (5) years.
6 No person shall be eligible to appointment who is officially connected with or
7 financially interested in any dental college or dental department, of any institu-
8 tion of learning.

9 The Governor shall issue to each member of the board of dental examiners
10 a commission as a member of such board. Each member shall take the constitu-

11 tional oath of office, which oath shall be filed in the office of the Secretary of
12 State.

13 The Governor may remove any member of the Board of Dental Examiners,
14 for misconduct, incapacity or neglect of duty. The board of dental examiners
15 shall annually elect from its own number a chairman and a secretary. The Board
16 of Dental Examiners shall hold one or more meetings each year pursuant to the
17 call of its chairman. At any meeting a majority of the members appointed
18 shall constitute a quorum.

19 Each member shall receive the sum of ten dollars per day for each day nec-
20 essarily engaged in the performance of his official duties. The secretary shall
21 receive a salary, to be fixed by the Board of Dental Examiners.

Sec. 55. The Board of Dental Examiners shall have the power and it shall
2 be its duty:

3 First: To make rules and regulations for the conduct of the business of
4 such board.

5 Second: To conduct hearings, to administer oaths, and to compel the at-
6 tendance of witnesses and the production of books, papers or documents perti-
7 nent to any hearing conducted by such board.

8 Third: To meet at least once in each year, and oftener if necessary, in the
9 discretion of the board, and at such times and places as it may deem proper.

10 Fourth: To receive applications for licenses and examinations to practice
11 dentistry and dental surgery.

12 Fifth: To conduct examinations and to grant and revoke licenses to prac-
13 tice dentistry and dental surgery, and to cause such licenses to be signed by its
14 president and attested by its secretary, with the seal of the board attached there-
15 to.

16 Sixth: To pass rules and regulations defining what shall constitute a dental
17 school, college or dental department of universities reputable and in good stand-
18 ing, and to determine the reputability and good standing of such dental schools,

19 colleges or dental departments of universities by reference to compliance with
20 such rules and regulations.

21 **Seventh: To adopt and use a seal.**

Sec. 56. No person, unless previously registered or licensed to
2 practice dentistry in this State at the time this article shall become
3 operative, shall begin the practice of dentistry or dental surgery,
4 or any branches thereof, without first applying for and obtaining
5 a license for such purpose from the Board of Dental Examiners. Ap-
6 plication shall be made to said board in writing, and shall, in every
7 instance be accompanied by the examination fee of twenty dollars (\$20) together
8 with satisfactory proof that the applicant is of good moral character and twen-
9 ty-one years of age or over at the time of making the application. Application
10 from a candidate who desires to secure a license from said board to practice dent-
11 istry or dental surgery in this State shall be accompanied by satisfactory proof
12 that the applicant so applying for a license has been engaged in the actual, legal
13 and lawful practice of dentistry or dental surgery in some other state or country
14 for five consecutive years just prior to application; or is a graduate of and has
15 a diploma from the faculty of a reputable dental college, school or dental de-
16 partment of a reputable university; or is a graduate of and has a diploma from
17 the faculty of a reputable medical college or medical department of a reputable
18 university, and possesses the necessary qualifications prescribed by the board.
19 When such application and the accompanying proof are found satisfactory, the
20 board shall notify the applicant to appear before it for examination at a time
21 and place to be fixed by the board. Examination may be made in whole or in
22 part, orally or in writing at the discretion of the board, and shall be of a character
23 as to test the qualifications of the applicant to practice dentistry or dental sur-
24 gery. All examinations provided for this article shall be conducted by the board,
25 which shall provide for a fair and wholly impartial method.

Sec. 57. Any person shall be regarded as practicing dentistry or dental
2 surgery within the meaning of this article, who shall treat, or profess to treat

3 any of the diseases of lesions of human teeth or jaws, or extract teeth, or shall
 4 prepare and fill cavities in human teeth, or correct the malposition of teeth, or
 5 supply artificial teeth as substitutes for natural teeth: *Provided*, that nothing in
 6 this article shall be so construed as to prevent regularly licensed physicians or
 7 surgeons from extracting teeth: *Further*, this article shall not prevent students
 8 from performing dental operations under the supervision of competent instruct-
 9 ors within a dental school, college or dental department of a university recognized
 10 as a reputable by the Board of Dental Examiners.

Sec. 58. Any person licensed to practice dentistry or dental surgery in this
 2 State by the Board of Dental Examiners, as hereinbefore provided, shall per-
 3 sonally and within ninety days from date of issue, cause such license to be re-
 4 corded with the county clerks of such county or counties in which such person
 5 desires to engage in the practice of dentistry or dental surgery, and the county
 6 clerks of the several counties of this State shall charge for recording such li-
 7 cense a fee of twenty-five cents (25c) for each record: *And it is hereby pro-*
 8 *vided further*, that every person who engages in the practice of dentistry or dent-
 9 al surgery in this State shall cause his or her license to be recorded with the
 10 county clerk before beginning the practice of dentistry in said county, and to be,
 11 at all times, displayed in a conspicuous place, in his or her office wherein he or
 12 she shall practice such profession, and shall further, whenever requested, exhibit
 13 such license to any of the members of the said board or its authorized agent.

Sec. 59. Any failure, neglect or refusal on the part of any person obtaining
 2 a license to practice dentistry or dental surgery from the said board, to record
 3 such license with the county clerk of some county in this State, within ninety
 4 days from the date of issue of the same, shall work a forfeiture of such license
 5 and no license when once forfeited, shall be restored, except upon payment to the
 6 said board of the sum of fifteen dollars (\$15), for such neglect, failure or re-
 7 fusel to record such license and the surrender of forfeited license.

Sec. 60. Each person applying for examination for a license to practice
 2 dentistry or dental surgery in this State shall pay an examination fee of twenty

3 dollars (\$20); and in addition thereto, a license fee of five dollars (\$5), for
4 every license or duplicate license issued by such board, shall be charged.

Sec. 61. Any person filing or attempting to file as his own the diploma or
2 license of another, or a forged affidavit of identification, or qualification, shall
3 be deemed guilty of a felony, and upon conviction thereof shall be subject to such
4 fine and imprisonment as is made and provided by the statutes of this State for
5 the crime of forgery.

6 The Board of Dental Examiners may, in its discretion, upon the payment
7 of a license of twenty-five (\$25.00) dollars, issue a license to practice dentistry
8 or dental surgery without examination to a legal practitioner of dentistry or dent-
9 al surgery, who removes to Illinois from another state or territory of the United
10 States, or from a foreign country, in which he or she conducted a legal practice
11 of dentistry or dental surgery for a least five years immediately preceding his or
12 her removal: *Provided*, such applicant presents a certificate from the Board of
13 Dental Examiners, or a like board, of the state, territory or country from which
14 he or she removes, certifying that he or she is a competent dentist or dental sur-
15 geon, and of a good moral character: *And, provided, further*, that such certifi-
16 cate is presented to the Board of Dental Examiners not more than six months
17 after its date of issue, and that the board of such other state, territory or coun-
18 try shall in like manner, recognize certificates issued by the Board of Dental Ex-
19 aminers of the State of Illinois, presented to such other board of legal prac-
20 titioners of dentistry or dental surgery from this State, who may wish to re-
21 move to or practice in such other state, territory or country.

Sec. 62. Any one who is a legal and competent practitioner of dentistry or
2 dental surgery in the State of Illinois, and of a good moral character and known
3 to the Board of Dental Examiners of this State as such, who desires to change
4 his or her residence to another state, territory or foreign country, shall, upon
5 application to the Board of Dental Examiners, and upon the payment of five
6 (\$5.00) dollars receive a certificate over the signature of the chairman and sec-

7 retary of said board, and bearing its seal, which shall attest the facts above
8 mentioned and giving the date upon which he or she was registered and licensed.

Sec. 63. For the purpose of correcting and revising the register of legal
2 practitioners of dentistry, as kept by the Board of Dental Examiners, it shall
3 be the duty of each person registered, or licensed, by the board to practice
4 dentistry in this State to procure from the secretary of the board, on or before
5 November 1, 1915, and on or before November 1st biennially thereafter, a cer-
6 tificate of registration. Such certificate shall be issued by the secretary upon
7 payment of a fee to be fixed by the board, not exceeding the sum of one dollar.
8 All certificates so issued shall be prima facie evidence of the right of the holder
9 to practice dentistry in the State during the time for which they are issued, and
10 the same shall be exposed to public view in the operating room of the holder.
11 Any certificate or license heretofore granted, or that may be hereafter granted,
12 by the board, shall be cancelled if the holder thereof fails to secure the renewal
13 certificate herein provided for within a period of six months after November 1,
14 1915, and biennially thereafter: *Provided*, that the license or certificate thus
15 cancelled may be restored by the board upon the payment of a fee of twenty dol-
16 lars without further examination of the holder as to his competency and ability
17 to practice. It shall be the duty of the secretary of the board to mail to each
18 person whose name appears upon the register of said board on or before Oc-
19 tober 1, 1915, and at the same time biennially, thereafter, a printed blank form,
20 to be filled out by the holder of such license or certificate, which shall be return-
21 ed by such holder to the secretary of the board, properly filled out, together with
22 the fee established by said board for this purpose. The board shall cause a
23 notice to be inserted in not less than three newspapers in the city of Chicago,
24 and two newspapers in the city of Springfield, informing the dentists of this
25 State that such registration will be required. Such notice shall be printed in
26 such newspapers in one of each three successive weeks between the first day of
27 October and first day of November, 1915, and during the same period biennially
28 thereafter.

Sec. 65. Any person who shall practice dentistry or dental surgery in this State without being registered or without a license for that purpose, or violates any of the provisions of this article, shall be subject to prosecution before any court of competent jurisdiction upon complaint, information or indictment, and shall, upon conviction, be fined for each offense in any sum not less than fifty dollars (\$50) nor more than two hundred dollars (\$200).

Sec. 66. Any association or company of persons, whether incorporated or not, who shall engage in the practice of dentistry under the name of a company, association, or any other title, shall cause to be displayed and kept in a conspicuous place at the entrance of its place of business, the name of each and every person employed in said company or association in the practice of dentistry, and any one so employed by said company or association whose name shall not be so displayed as above provided, and the said association or company, if incorporated, or the persons comprising the same, if not incorporated, shall, for the failure to display the aforesaid names, be deemed guilty of a misdemeanor, and upon conviction thereof, each shall be punished as provided in this article.

Any manager, proprietor, partnership, association or incorporation owning, running, operating or controlling any room or rooms, office or dental parlors, where dental work is done, provided or contracted for, who shall employ, keep or retain any unlicensed person or dentist as an operator; or,

Who shall fail, within ten days after demand made by the secretary of the Board of Dental Examiners, in writing, sent by registered mail, addressed to any such manager, proprietor, partnership, association or incorporation at said room, office or dental parlor, to furnish to said secretary the names and addresses of all persons practicing or assisting in the practice of dentistry in his place of business or under his control, together with a sworn statement showing by what license or authority said persons are practicing dentistry, shall be guilty of a misdemeanor and subject to the penalties provided for in this article: *Provided, however,* that such sworn statement shall not be used as evidence in any subsequent court proceedings.

ARTICLE VI.

VITAL STATISTICS.

Sec. 67. There shall be in the department of health a bureau of vital statistics, which shall be under the general supervision of the health commissioner. The bureau of vital statistics shall be under the immediate direction of a registrar to be appointed by the health commissioner.

The health commissioner may remove, a registrar for incompetency, malfeasance in office or neglect of duty. Any vacancy occurring in such office by death, resignation or otherwise shall be filled for the unexpired term by the board of health.

The registrar shall have charge of the registrations of births and death, shall prepare the necessary instructions, forms and blanks for obtaining and preserving such records, and shall procure the faithful registration of the same.

Sec. 68. It shall be the duty of every physician and midwife in the State of Illinois, who attends the birth of a child, to make a report of said birth with the name of such child and such other information as may be required by the registrar, within thirty days after its occurrence, in writing, to the county clerk of the county in which the said birth takes place: *Provided*, that in cities of 50,000 or more inhabitants reports may be made to the city commissioner of health instead of the county clerk, if said commissioner of health so requests.

Such reports shall be made on blank forms prescribed by the registrar, and shall contain such information as may be directed by said registrar. When no physician or midwife has been in attendance, then it shall be the duty of the parents, or the householder, to make said report within the time and in the manner aforesaid.

Sec. 69. Every physician, midwife, parent or householder who shall comply with the foregoing provisions shall be paid for each report of birth made in the manner directed by the registrar the sum of twenty-five (25) cents.

Sec. 70. Every city commissioner of health to whom reports of births are made shall deliver to the county clerk of the county in which the city is located,

3 on or before the tenth day of each month, all reports of births received by him
4 during the preceding month.

Sec. 71. It shall be the duty of every physician and midwife practicing in
2 the State of Illinois to report, in writing, to the registrar, at Springfield, the
3 death of any of his or her patients within thirty days after the date of said
4 death: *Provided*, that in the case of deaths which occur within the corporate jur-
5 isdiction of cities, the ordinance of which requires that a burial or removal per-
6 mit shall be issued before the burial or removal of the body, and that before such
7 permit shall be issued a report or certificate of death shall be presented to the
8 official by whom the permit shall be issued, no report need be made to the regist-
9 rar by the physician or midwife.

Sec. 72. It shall be the duty of the coroner to report, in writing, to the
2 registrar any death coming under his supervision within ten days after he re-
3 ceives notice of such death: *Provided*, that this section shall not apply to deaths
4 occurring within the jurisdiction of the cities referred to in section 71 of this
5 Act.

Sec. 73. All reports or certificates of death made by physicians, midwives
2 or coroners, either to the registrar or to a city commissioner of health or other
3 city official, shall be made in the manner directed by the registrar, on the blank
4 forms prescribed by the registrar.

Sec. 74. Every physician, midwife or coroner who shall make a report of
2 death to the registrar in the manner provided for in the preceding sections shall
3 be paid for each report the sum of twenty-five (25) cents.

Sec. 75. It shall be the duty of the commissioner of health or the other city
2 or village official in the cities referred to in section 71 of this Act, by whom bur-
3 ial or removal permits are issued, and to whom certificates or reports of death
4 are presented, to deliver to the registrar, at Springfield, on or before the tenth
5 day of each month, all certificates or reports of death presented to him during

6 the preceding month, and for each death report so made, such official shall be
7 paid the sum of ten (10) cents.

Sec. 76. The registrar shall make a record within ten days after their receipt
2 of all certificates of death forwarded to him and shall deliver such certificates on
3 or before the first day of the succeeding month to the proper county clerk, with
4 a list giving the names and addresses of the persons from whom the certificates
5 were received.

Sec. 77. The fees provided for in sections 69, 74 and 75 of this Act are
2 hereby made and declared to be a charge upon the county in which said fees may
3 accrue, and the county clerk of the respective counties shall, upon the request
4 of any person entitled to said fees in his county, issue to such person his warrant
5 upon the county treasurer of said county for the amount of fees due such person
6 under this Act, and the county treasurer of said county shall pay the same upon
7 presentation out of any money belonging to the county not otherwise appropri-
8 ated: *Provided*, that no payment shall be made under the provisions of sections
9 69, 74, and 75 of this Act in the case of still-birth where the period of gestation
10 is less than seven months.

11 It shall be the duty of the board of supervisors in counties under township
12 organization, and the board of county commissioners in counties not under town-
13 ship organization, to appropriate such sums as may be necessary for such pur-
14 pose.

Sec. 78. The county clerk of each county shall record in the manner direct-
2 ed by the State Board of Health all certificates of births and deaths delivered
3 to him pursuant to law, and shall file such certificates in his office. The record of
4 such certificates shall at all times be open to the inspection of the public without
5 fee. Each county clerk shall also, during the first ten days of January, April,
6 July and October of each year, render to the registrar, in the manner directed
7 by him, a full and complete report of all births reported to him during the pre-
8 ceding quarter.

Sec. 79. The State Board of Health shall prescribe for reports of births and
2 certificates of death as he may deem proper, and shall furnish a copy of each
3 form to the county clerk of the several counties. It shall be the duty of the
4 county clerks to have blank reports of births and certificates of death printed
5 strictly in accordance with the forms prescribed by the registrar, and furnish the
6 same free of charge to the physicians, midwives and coroners: *Provided*, that in
7 cities and villages the local board or department of health or the city or village
8 clerk, as the case may be, may have printed blank certificates of death strictly in
8½ accordance with the forms prescribed by the State Board of Health, and fur-
9 nish the same free of charge to the physicians and midwives. No report of a
10 birth or certificate of a death shall be made by a physician, midwife or coroner
11 except on a blank form such as prescribed by the State Board of Health.

Sec. 80. Any person or persons who shall violate any of the provisions of
2 sections 68 to 79, both inclusive, of this article, shall be deemed guilty of a mis-
3 demeanor, and upon conviction thereof shall be fined not less than ten nor more
4 than one hundred dollars, or shall be imprisoned in the county jail not to exceed
5 thirty days, or shall suffer both such fines, and imprisonment, in the discretion of
6 the court.

ARTICLE VII.

HOTELS, INNS AND LODGING HOUSES.

Sec. 81. The Health Commissioner shall have supervision over all lodging
2 houses, boarding houses, taverns, inns and hotels in cities of 100,000 or more.
3 He shall from time to time inspect or cause to be inspected all such lodging
4 houses, boarding houses, taverns, inns and hotels to see that the provisions of
5 the law regulating such places are properly observed by the landlords, propri-
6 etors, keepers, managers and clerks thereof, and any landlord, proprietor, keeper,
7 manager, clerk, employee or other person connected with any such lodging house,
8 boarding house, tavern, inn, or hotel, who shall interfere with or obstruct any
9 such inspection shall be guilty of a misdemeanor, and upon conviction thereof
10 shall be fined not to exceed one hundred (\$100) dollars.

Sec. 82. It shall be unlawful for any landlord, proprietor, keeper, manager
 2 or clerk of any lodging house, boarding house, tavern, inn or hotel in cities of
 3 100,000 inhabitants or more, to permit any room in such lodging house, board-
 4 ing house, tavern, inn, or hotel to be used or occupied for sleeping purposes
 5 which does not contain four hundred cubic feet or more of air space for each per-
 6 son sleeping therein at the same time, and in every room in any lodging house,
 7 boarding house, tavern, inn or hotel containing more than one bed, the beds shall
 8 be so arranged as to leave a passageway of not less than two feet horizontally
 9 on all sides of each bed, and all beds shall be so arranged that under each of them
 10 the air shall freely circulate and there be adequate ventilation

11 Any landlord, proprietor, keeper, manager, clerk, employee or other person
 12 connected with any lodging house, boarding house, tavern, inn, or hotel, violating
 13 any of the provisions of this section shall be guilty of a misdemeanor and upon
 14 conviction shall be punished by a fine not exceeding one hundred (\$100) dollars,
 15 nor less than twenty-five dollars.

Sec. 83. The landlord, proprietor, keeper, manager or clerk of every lodg-
 2 ing house, boarding house, tavern, inn, or hotel, referred to in the two preced-
 3 ing sections of this Act, shall keep in the office or other public place therein a reg-
 4 ister in which shall be entered the name and residence of every person who be-
 5 comes a lodger, boarder or guest in such lodging house, boarding house, tavern,
 6 inn, or hotel, and such register shall also show the number of the room or bed
 7 occupied by such person and shall show the date of his arrival and the period
 8 for which he engaged board or lodging, which register shall also be accessible
 9 without charge to any officer or to any duly authorized agent of the health com-
 10 missioner. Any person violating the provisions of this section shall be liable
 11 to a penalty of not less than twenty-five (\$25) dollars and not more than one
 12 hundred (\$100) dollars.

Sec. 84. Upon the first day of March of each year and every year the land-
 2 lord, proprietor, keeper or manager of every lodging house, boarding house,
 3 tavern, inn or hotel mentioned in section 81 of this Act shall file with the county

4 clerk of the county in which such lodging house, boarding house, tavern, inn,
5 or hotel, is located, a written statement sworn to by him, which statement shall
6 contain the name of the person making the statement, whether such person is the
7 landlord, proprietor, keeper or manager of such lodging house, boarding house,
8 tavern, inn or hotel, the location of such lodging house, boarding house, tavern,
8½ inn or hotel, according to the city street and number, the period of time
9 during which such person has been the landlord, proprietor, keeper, or manager
10 of such lodging house, boarding house, tavern, inn or hotel, the period of time
11 during which such lodging house boarding house, tavern, inn or hotel has been
12 continuously operated as such, the number of guests or persons then stopping
13 in such lodging house, boarding house, tavern, inn or hotel, the greatest number
14 of persons who stopped in such lodging house, boarding house, tavern, inn or ho-
15 tel upon any day within the thirty (30) days immediately preceding the date of
16 such sworn statement, the smallest number of persons on any day within said
17 period of thirty (30) days, the total number of rooms contained in such lodging
18 house, boarding house, tavern, inn or hotel, the number of sleeping rooms contain-
19 ed in such lodging house, boarding house, tavern, inn or hotel, the length and
20 breadth of the building in which such lodging house, boarding house, tavern, inn
21 or hotel is located, the number of stories comprising such building, the number of
22 stories and parts of stories in such building occupied by such lodging house,
23 boarding house, tavern, inn or hotel, the complete dimensions in feet respectively
24 of the smallest and largest room contained in such lodging house, boarding
25 house, tavern, inn or hotel, and the number of beds contained in the largest
26 sleeping room. Such statement shall be made upon blanks furnished to the
26½ county clerk by the Health Commissioner for that purpose.

27 Any landlord, proprietor or manager of any lodging house, boarding
28 house, tavern, inn or hotel, who fails or refuses to make and file within and at
29 the time herein mentioned the statement required by this section to be made,
30 shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine
31 of not less than twenty-five (\$25) dollars and not more than one hundred (\$100)
32 dollars.

Sec. 85. All beds for the accommodation of guests in any hotel in this State
 2 shall be provided with sufficient supply of clean bedding and with clean sheets,
 3 each of which shall be at least eighty-one inches wide and ninety-nine inches
 4 long. All beds shall be provided with clean sheets as often as the same shall be
 5 assigned to different persons.

Sec. 86. Each and every hotel in this State having a public washroom shall
 2 keep therein at all times, a sufficient supply of individual clean towels in a place
 3 in sight of, and easy of access to guests. Also, at least two clean towels in each
 4 room, each day.

Sec. 87. Whenever any room in any hotel in this State shall have been occu-
 2 pied by any person having a contagious or infectious disease, the said room shall
 3 be thoroughly fumigated and all bedding therein thoroughly disinfected be-
 4 fore said rooms shall be occupied by any other person, but in any event, such
 5 room shall not be let to any person for at least forty-eight hours after such fum-
 6 igation or disinfection.

Sec. 88. Every hotel in this State shall be well drained, constructed, and
 2 plumbed according to sanitary rules to be prepared by the Health Commissioner,
 3 and approved by the State Board of Health, and shall be kept clean and in a sani-
 4 tary condition and free from effluvia arising from any sewer, drain, privy or
 5 other source within the control of the owner, manager, agent or other person
 6 in charge; and shall be provided with water closets or privies properly screened
 7 for the separate use of males and females, which water closets or privies shall
 8 be disinfected as often as may be necessary to keep them at all times in a sani-
 9 tary condition.

Sec. 89. Every owner, manager, agent or person in charge of a hotel who
 2 shall fail to comply with any of the provisions of sections 85 to 88, both inclusive,
 3 of this article, shall be deemed guilty of a misdemeanor and shall be fined not
 4 less than ten dollars (\$10.00) nor more than one hundred dollars (\$100.00), or
 5 shall be imprisoned in the county jail for not less than ten days nor more than

6 three months or both, and every day that such hotel is carried on in violation of
7 this article shall constitute a separate offense.

Sec. 90. The Health Commissioner shall cause to be printed and shall forward to each hotel, inn, and public lodging house coming under the provisions of this article, a sufficient number of copies of this article, so as to enable the management of the said hotel, inn, or public lodging house, to post one notice in a conspicuous place in each room used for lodging purposes, and the said management shall cause the said notice so sent to be posted as provided for in this section.

ARTICLE VIII.

TREATMENT AND CARE OF POOR PERSONS AFFLICTED WITH RABIES.

Sec. 91. Overseers of the poor or other officers having charge of the dispensation of public charity in the several counties of this State may hereafter send to an institution within the State of Illinois, for the preventative treatment of hydrophobia, such institution to be selected by the Health Commissioner, all poor persons duly certified by regular physicians to have been bitten by rabid animals or otherwise be in danger of infection with rabies.

Sec. 92. The transportation of such poor person with attendant or attendants to and from such institution shall be a charge upon the counties in which they reside. The sustenance, nursing and preventative treatment for such poor person for the time adjudged necessary shall be provided by such institution.

Sec. 93. The charges for the services of such institution shall be paid by the State of Illinois, at a rate not exceeding one hundred (\$100) dollars a patient.

Sec. 94. Such institution shall be at all times open to the inspection of the Governor and of the Health Commissioner, or of the accredited representative of

3 either, and shall annually on or before the first day of December of each year
4 make its report to the governor.

ARTICLE IX.

ANTI-TOXIN.

Sec. 95. It shall be the duty of the Health Commissioner to appoint one agent
2 in the county seat of each county in the State who shall have for distribution
3 as herein provided diphtheria antitoxin certified to by the health commissioner,
4 it being the duty of such agents to sell such antitoxin at a fair and reasonable
5 price to all physicians and others applying for and needing the same unless
6 the person applying for and needing the same shall be unable to purchase the
7 same, in which case such antitoxin shall be furnished on an order from the over-
8 seer of the poor or supervisor of the township to be paid for by the respective
9 counties in which such order is made. More than one agent may be appointed
10 in counties where necessary for the convenience of the people at the discretion of
11 the Health Commissioner. The Health Commissioner is hereby authorized to
12 make such rules and regulations as may be necessary to carry out the provisions
13 of this section.

ARTICLE X.

DIVISION OF FOOD INSPECTION.

(a) *Administrative Organization.*

Sec. 96. The division of food inspection shall have charge, under the su-
2 pervision of the Health Commissioner of the enforcement of the laws regarding
3 the production, manufacture, sale and labeling of food and food products, the
4 sanitary inspection of establishments where food is prepared, manufactured,
5 packed, stored, or distributed and shall make all necessary inquiries, inspections
6 and investigations relating thereto.

Sec. 97. The division of food inspection shall be in charge of a director of
2 food inspection to be appointed by the Governor, by and with the advice and
3 consent of the Senate for a term of four (4) years. The director first appointed

4 shall hold office until January 15, A. D. 1917, and until his successor is appoint-
5 ed and qualified. If the Senate is not in session the Governor shall make a
6 temporary appointment as in the case of a vacancy. The director shall receive
7 a salary of \$3,600 per annum, payable in equal monthly installments. Before
8 entering upon the duties of his office, he shall execute a bond, payable to the
9 People of the State of Illinois, in the penal sum of \$10,000, conditioned for the
10 faithful performance of the duties of his office, which bond shall be approved as
11 to its form by the Attorney General, and as to the sufficiency of its sureties by
12 the Governor. He shall also take the oath of office required by the constitution
13 of State officers, which oath, together with his official bond, shall be deposit-
14 ed in the office of the Secretary of State.

Sec. 98. There shall also be in the division of food inspection a food stand-
2 ard commission, to consist of three (3) members, one of whom shall be the di-
3 rector, one of whom shall be a representative of the Illinois Food Manufactur-
4 ing Industries, and one of whom shall be an expert food chemist of known
5 reputation, and all of whom shall be citizens of the State of Illinois. The mem-
6 bers of the food standard commission other than the director, shall be appoint-
7 ed by the Governor and shall serve for a term of three (3) years. Each member,
8 other than the director, shall receive the sum of fifteen (15) dollars per day
9 for a period not exceeding thirty (30) days in one year.

10 It shall be the duty of the food standard commission to determine and
11 adopt standards of quality, purity or strength for food products for the State of
12 Illinois. In determining and adopting a standard of quality, purity or strength
13 of milk or cream such standard shall be fixed as may be determined solely by
14 the examination and test of milk, or cream, and the can or receptacle in which
15 it is placed.

16 The director shall also have the power to appoint from time to time, subject
17 to the civil service laws of the State, as the necessity of the division may require
18 bacteriologists, chemists, analysts, inspectors, investigators and other em-
19 ployees.

Sec. 99. Upon the appointment and qualification hereunder of a director of

food inspection it shall be the duty of the State Food Commissioner to transfer and deliver to the director all furniture, office equipment, office stationery, books, laboratory equipment and supplies and all other personal property, and all files, documents, books, records and other property in his possession or under his control, and belonging or appertaining to his office or in the possession or under the control of the Food Standard Commission, inspectors, agents and servants of the State Food Commissioner and belonging or appertaining to his office.

If, in any Act, not repealed and not incorporated in this Act, duties are imposed, or powers are conferred, upon the State Food Commissioner, such duties shall be discharged and such powers shall be exercised by the director of food inspection.

The director of food inspection shall exercise all the powers confined upon him by this article subject to the supervision of the Health Commissioner.

(B) THE FOOD LAW.

Sec. 100. The director and such inspectors and agents as shall be duly au-

thorized for the purpose, when and as often as they may deem it necessary for the purpose of determining whether any manufactured food complies with the law, shall examine the raw materials used in the manufacture of food products and determine whether any filthy, decomposed or putrid substance is used in their preparation. They may also examine all premises, carriages or cars where food is manufactured, transported or stored or served to patrons, for the purpose only of ascertaining their sanitary condition and examining and taking samples of the raw materials and finished products found therein, but nothing in this article shall be construed as permitting such officers to enquire into, or examine methods or processes of manufacture, or requiring or compelling proprietors or manufacturers, or packers of proprietary or other food products, to disclose trade rights or secret processes, or methods of manufacture. The director, inspectors and agents shall also have power and authority to open any package, can or vessel containing or supposed to contain any article manufactured, sold

16 or exposed for sale, or held in possession with intent to sell, in violation of the
17 provisions of this article, or laws that now exist, or that may hereafter be en-
18 acted in this State, and may inspect the contents thereof, and may take samples
19 therefrom for analysis. The employees of railroads, express companies or other
20 common carriers shall render to them all the assistance in their power, when
21 requested, in tracing, finding or disclosing the presence of any article prohib-
22 ited by law, and in securing samples thereof as hereinafter provided for.

Sec. 101. Whoever, by himself, his agent, employee, or servant, hinders,
2 obstructs, or in any way interferes with any inspector, analyst, or officer ap-
3 pointed hereunder, in the performance of his duty or in the exercise of his
4 powers as defined in this subdivision of this article, or whoever being an em-
5 ployee of a railroad, express company, or other common carrier refuses or fails
6 upon request to assist the director or any inspector appointed hereunder in trac-
7 ing, finding or disclosing the presence of any article of food prohibited by law
8 and in securing samples thereof as provided for in the preceding section of this
9 article shall be deemed guilty of misdemeanor and shall be punished as herein-
10 after provided for.

Sec. 102. The person taking such sample, shall in the case of bulk or broken
2 package goods, divide the same into two equal parts, as nearly as may be, and in
3 the case of sealed and unbroken packages, he shall select two of said packages,
4 which two said packages shall constitute the sample taken, and properly to
5 identify the same, he shall, in the presence of the person from whom the same is
6 taken, mark or seal each half or part of such sample with a paper seal or other-
7 wise, and shall write his name thereon and number each part of said sample with
8 the same number and also write thereon the name of the dealer in whose place
9 of business the sample is found, and the person from whom such sample is taken
10 shall also write his own name thereon, and at the same time the person taking
11 said sample shall give notice to such person from whom such sample is taken
12 that such sample was obtained for the purpose of examination by the director.

13 One part of such sample shall be taken by the person so procuring the same to
 14 the State Analyst or other competent person appointed for the purpose of mak-
 15 ing examinations or analysis of samples so taken, and the person taking such
 16 samples shall tender to the person from whom it is taken the value of that part
 17 thereof so retained by the person taking such sample; the other part of such
 18 sample shall be delivered to the person from whom such sample is taken. If
 19 the person from whom such sample is taken has recourse upon the manufac-
 20 turer or guarantor, either by operation of law or under contract for any failure
 21 on the part of said sample to comply with the provisions of this article, then the
 22 person from whom such sample is taken shall retain for the period of six
 23 months that part of the sample so delivered to him in order that such manufac-
 24 turer or guarantor may have the same examined or analyzed if he so desires:

25 *Provided*, that the person procuring such sample may securely pack and box
 26 that part thereof retained by him and send the same to the State Analyst or
 27 other competent person appointed hereunder, and the testimony of the person
 28 procuring such sample that he did procure the sample and that he sealed and
 29 numbered the same as herein provided, and that he wrote his name thereon,
 30 and that he packed and boxed such part thereof and sent the same to the State
 31 Analyst or other competent person appointed hereunder, and the testimony of
 32 the person analyzing such sample that he received the same in apparent good
 33 order, that such sample was sealed, and the number thereof and the name of the
 34 sender, as herein provided for, was on such sample, and that the seal at the time
 35 the same was received was unbroken, shall be *prima facie* evidence that the sam-
 36 ple so received is the sample that was sent, and that the contents thereof are the
 37 same and in the same condition as at the time the person so procuring such sam-
 38 ple parted with the possession thereof, and the testimony of such two witnesses
 39 as above shall be sufficient to make *prima facie* proof.

Sec. 103. MANUFACTURING ADULTERATED OR MISBRANDED FOOD MISDEMEANOR.]

2 It shall be unlawful for any person to manufacture for sale within the State of
 3 Illinois any article of food or drink which is adulterated or misbranded within

4 the meaning of this article, and any person who shall violate any of the pro-
5 visions of this section shall be guilty of a misdemeanor and, on conviction thereof,
6 shall be punished according to the provisions of this Act:

7 *Provided*, that no article of food shall be deemed misbranded or adulterat-
8 ed within the provisions of this article when intended for export to any foreign
9 country or purchaser, and prepared or packed according to the specifications or
10 directions of the foreign country to which such article is intended to be shipped;
11 but if such article shall be in fact sold or offered for sale for domestic use or
12 consumption, then this proviso shall not except such article from the operation
13 of any of the other provisions of this article.

Sec. 104. POSSESSION MISBRANDED OR ADULTERATED ARTICLES PROHIBITED.] The
2 having in possession of any article of food or drink which is misbranded or adul-
3 terated, with intent to sell the same, is hereby prohibited; and whoever shall
4 have in his possession, with the intent to sell, or offer for sale, any article which
5 is adulterated or misbranded within the meaning of this article, shall be guilty
6 of a misdemeanor, and, on conviction thereof, shall be punished as hereinafter
7 provided. Proof that any person, firm or corporation has or had possession
8 of any article which is adulterated or misbranded shall be *prima facie* evidence
9 that the possession thereof is in violation of this section.

Sec. 105. TERM FOOD DEFINED.] The term "food" as used herein, shall in-
2 clude all articles used for food, drink, confectionery or condiment by man or
3 other animals, whether simple, mixed or compound, and any substance, used as
4 a constituent in the manufacture thereof.

Sec. 106. DEFINES ADULTERATION.] That for the purpose of this article, an
2 article shall be deemed to be adulterated:

3 In case of confectionery:

4 *First*—If it contains terra alba, barytes, talc, chrome yellow, paraffin, min-
5 eral fillers or poisonous substances, or poisonous color or flavor.

6 *Second*—If it contains any ingredient deleterious or detrimental to health,
7 of any vinous, malt or spirituous liquor or compound, or narcotic drug.

8 **In case of food:**

9 *First*—If any substance has been mixed or packed with it so as to reduce
10 or lower or injuriously affect its quality, strength or purity.

10½ *Second*—If any substance has been substituted wholly or in part for the article.

11 *Third*—If any valuable constituent of the article has been wholly or in part
12 abstracted: *Provided*, that in the manufacture of skim or separated cheese the
13 whole or part of the butter fats in the milk may be abstracted.

14 *Fourth*—If it be mixed, colored, powdered, coated, polished or stained in any
15 manner whereby damage or inferiority is concealed, or it is made to appear bet-
16 ter or of greater value than it really is.

17 *Fifth*—If it contains any added poisonous or other added deleterious ingred-
18 ient which may render such article injurious to health: *Provided*, that when in
19 the preparation of food products for shipment they are preserved by an ex-
20 ternal application, applied in such a manner that the preservative is necessarily
21 removed mechanically, or by maceration in water, or otherwise, and directions
22 for the removal of such preservatives shall be printed on the covering of the
23 package, the provisions of this article shall be construed as applying only when
24 such products are ready for consumption; and formaldehyde, hydrofluoric acid,
25 boric acid, salicylic and all compounds and derivatives thereof are hereby de-
26 clared unwholesome and injurious.

27 *Sixth*—If it consists in whole or in part of a filthy, decomposed or putrid,
28 infected, tainted or rotten animal or vegetable substance or article, or any
29 portion of an animal unfit for food, whether manufactured or not, or if it is the
30 product of a diseased animal, or one that has died otherwise than by slaughter.

Sec. 107. MISBRANDED DEFINED.] The term "misbranded" as used herein,
2 shall apply to all articles of food or drink, or articles which enter into the com-
3 position of food or drink, the packages or labels of which shall bear any state-
4 ment, design, or device regarding such article, or the ingredients or substance
5 contained therein which shall be false or misleading in any particular; and to
6 any such products which are falsely branded as to manufacturer, packer, or
7 dealer who sells the same or as to the State, territory, or country in which it
8 is manufactured or produced. That for the purpose of this article an article

9 shall also be deemed to be misbranded—

10 In case of food:

11 *First*—If it be an imitation of or offered for sale under the distinctive
12 name of another article.

13 *Second*—If it be labeled or branded so as to deceive or mislead the purchas-
14 er, or purports to be a foreign product when not so, or if the contents of a pack-
15 age, as originally put up, shall have been removed in whole or in part and other
15½ contents shall have been placed in such package, or if it shall fail to bear a state-
16 ment on the label of the quantity or proportion of any morphine, opium, cocaine,
17 heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or
17½ acetanilid, or any derivative or preparation of any such substances contained
18 therein.

19 *Third*—If in any package form and the contents are stated in terms of
20 weight or measure, they are not correctly and plainly stated on the outside
21 of the package.

22 *Fourth*—If it be a manufactured article of food or food sold in package
23 form, and is not distinctly labeled, marked or branded with the true name of the
24 article, and with either the name of the manufacturer and place of manufac-
25 ture, or the name and address of the packer or dealer who sells the same.

26 *Fifth*—If the package containing it or its label shall bear any statement,
27 design or device regarding the ingredients of the substance contained there-
28 in, which statement, design or device shall be false or misleading in any par-
29 ticular: *Provided*, that an article of food which does not contain any added
30 poisonous or deleterious ingredients shall not be deemed to be adulterated or
31 misbranded in following cases:

32 *First*—In case of mixtures or compounds which may now or from time to
33 time hereafter known as articles of food under their own distinctive names, and
34 not an imitation of or offered for sale under the distinctive name of another
35 article, if the name be accompanied on the same label or brand with a state-
36 ment of the place where the article has been manufactured or produced.

37 *Second*—In case of articles labeled, branded or tagged so as to plainly in-
38 dicate that they are compounds, imitations or blends, and the word “com-

39 pound," "imitation" or "blend," as the case may be, is plainly stated on the
 40 package in which it is offered for sale: *Provided*, that the term "blend," as
 41 used herein, shall be construed to mean a mixture of like substances, not ex-
 42 cluding harmless coloring or flavoring ingredients used for the purpose of color-
 43 ing and flavoring only; and as applied to alcoholic beverages, only those dis-
 44 tilled spirits shall be regarded as "like substances" which are distilled from
 45 the fermented mash of grain and are of the same alcoholic strength: *And pro-*
 46 *vided, further*, that nothing in this Act shall be construed as requiring or com-
 47 pelling proprietors or manufacturers of proprietary foods, which contain or
 48 unwholesome added ingredients to disclose their trade formulas, except in so far
 49 as the provisions of this article may require to secure freedom from adulter-
 50 ation or misbranding.

51 Third—In the case of mixtures of corn syrup (glucose) or corn sugar (dex-
 52 trose) or corn sugar syrup, with cane or beet sugar (sucrose) or cane or beet
 53 sugar syrup, in food, in the maximum percentage of corn syrup (glucose) or
 54 corn sugar (dextrose) or corn sugar syrup, in such article of food be plainly
 55 stated on the label.

Sec. 108. CONDEMNATION AND CONFISCATION OF MISBRANDED OR ADULTERATED
 2 FOODS.] Any article of food or drink or liquor that is adulterated or misbranded
 3 within the meaning of this article, or that is made, labeled or branded contrary
 4 to the provision of this article, or that does not conform to the definition or ana-
 5 lytical requirements provided in this article, and is being sold, or offered for sale
 6 or exposed for sale within the State of Illinois, shall be liable to be proceeded
 7 against in any court of record or before any judge thereof, or before any justice
 8 of the peace within whose jurisdiction the same may be found, and seized for
 9 condemnation and confiscation; and authority and jurisdiction are hereby vest-
 10 ed in the several courts of record, the judges thereof in vacation, and the sev-
 11 eral justices of the peace, to issue the warrant and to hear and determine the
 12 proceedings herein provided for. such proceedings shall be by complaint, veri-
 13 fied by affidavit, and in the name of the People of the State of Illinois against
 14 the article or articles proceeded against, particularly describing the same, the

15 place where they are located, the name of the person, firm or corporation in
16 whose possession they are found, and wherein they violate the provisions of this
17 article. Thereupon such court, judge or justice of the peace shall issue a war-
18 rant directed to the sheriff, bailiff, or any constable of the county, commanding
19 such officer to seize and take into his possession the article or articles de-
20 scribed in the complaint, and bring the same before the court judge
21 or justice of the peace who issued the warrant, and to summon the
22 person, firm or corporation named in the warrant and any other per-
22½ son who may be found in possession of such articles to appear at the time and
23 place therein specified, which service shall be made in the same manner as ser-
24 vice or process in civil cases in such court or before such justice of the peace.
25 The hearing upon such complaint shall be at the time and place specified in the
26 warrant, which time shall not be less than five (5) days nor more than fifteen
27 (15) days from the date of issuing the warrant: *Provided*, that if the execution
28 service of the warrant is had less than three (3) days before the return day of
29 the warrant, then the claimant shall be entitled to a reasonable continuance.
30 Upon the hearing the complaint may be amended, and any person, firm or cor-
31 poration that appears and claims the said article or articles shall be required to
32 file its claim in writing. Except as herein provided, the proceedings shall con-
33 form as near as may be to the proceedings upon search warrants, except that
34 either party may demand a trial by jury upon any issue of fact joined in any
35 such case. And if such article is condemned as being adulterated or misbrand-
36 ed or of a poisonous or deleterious character within the meaning of this article,
37 or as made, labeled or branded contrary to the provisions of this article, or as
38 not conforming to the definition or analytical requirements provided in this arti-
39 cle, the same shall be confiscated and disposed of by destruction or sale, as the
40 court, judge or justice of the peace may direct, and the proceeds thereof, if sold,
41 less the legal costs and charges, shall be paid into the treasury of the State of
42 Illinois, but such article shall in no instance be sold contrary to the provisions
43 of this article: *Provided, however*, that upon the payment of the costs of such

44 proceedings and the execution and delivery of a good and sufficient bond to the
 45 director for the use of the People of the State of Illinois, to the effect that
 46 such articles shall not be sold or otherwise disposed of contrary to the pro-
 47 visions of this article, the court may, by order, direct that such articles be deliv-
 48 ered to the owner thereof.

Sec. 109. VINEGAR TO BE BRANDED.] All vinegar made by fermentation and
 2 oxidation without the intervention of distillation, shall be branded with the name
 3 of the fruit or substance from which the same is made. All vinegar made wholly
 4 or in part from distilled liquor shall be branded "distilled vinegar," and
 5 shall not be colored in imitation of cider vinegar. All vinegar shall be made
 6 wholly from the fruit or grain from which it purports to be or is represented to
 7 be made, shall contain no foreign substance, and shall contain not less than four
 8 per cent, by weight, of absolute acetic acid. Any vinegar made or manufactured
 9 contrary to the provisions of this section shall be deemed to be adulterated
 10 within the meaning of this article. Any vinegar which is not branded as herein
 11 provided shall be deemed to be misbranded within the meaning of this article.

Sec. 110. EXTRACTS TO BE LABELED.] Extracts made of more than one princi-
 2 ple shall be labeled in a conspicuous manner with the name of each principle, or
 3 else with the name of the inferior or adulterant; and in all cases when an ex-
 4 tract is labeled with two or more names, such names must be in a conspicuous
 5 place on such label, and in no instance shall such mixture be called imitation,
 6 artificial or compound, and the name of one of the articles used shall not be given
 7 greater prominence than another: *Provided*, that all extracts which cannot be
 8 made from the fruit, berry, bean or other part of the plant, and must necessar-
 9 ily be made artificially as raspberry, strawberry, etc., shall be labeled "imita-
 10 tion" in letters similar in size and immediately preceding the name of the arti-
 11 cle: *Provided, further*, that prepared cocoanut, containing nothing other than co-
 12 coanut, sugar and glycerine, shall be labeled as prepared cocoanut, and when so
 13 made need not be labeled "compound" or "mixture." Any such extract not

14 labeled as herein provided for shall be deemed to be misbranded within the
15 meaning of this article.

Sec. 111. BAKING POWDER—HOW LABELED. No person by himself, his serv-
2 ant or his agent, or as the servant of any other person, shall, first, make or man-
3 ufacture baking powder or any other mixture or compound intended for use as
4 baking powder; second, or sell, or exchange, deliver or offer for sale or ex-
5 change such baking powder or any mixture or compound intended for use as bak-
6 ing powder, unless the same shall contain not less than ten per cent available
7 carbon dioxide and unless the common names of all the ingredients be printed
8 on the label.

Sec. 112. ADULTERATED, SPIRITUOUS, MALT OR VINOUS LIQUORS PROHIBITED.] No
2 person shall, within this State, by himself, his servant or agent, or as a servant
3 or agent of any other person or corporation, manufacture, brew, distill, have or
4 offer for sale, or sell any spirituous or fermented or malt liquor, containing any
5 drug, substance or ingredient not healthful or not normally existing in said
6 spirituous, fermented or malt liquor, or which may be deleterious or detrimental
7 to health when such liquors are used as a beverage, and the following drugs, sub-
8 stances or ingredients shall be deemed to be not healthful and shall be deemed to
9 be deleterious or detrimental to health when contained in such liquors, to-wit:
10 Coculous indicus, copperas, opium, cayenne pepper, picric acid, Indian hemp,
11 strychnine arsenic, tobacco, daniel seed, extract of log wood, salts or zinc copper,
12 copper or lead, alum, methyl alcohol and its derivatives and any extracts or com-
13 pounds of any of the above drugs, substances or ingredients and any person vio-
14 lating any of the provisions of this section shall be deemed guilty of a mis-
15 demeanor.

Sec. 113. MUTILATING LABEL PROHIBITED.] Whoever shall deface, change,
2 erase or remove any mark, label or brand provided for by this article with intent
3 to mislead, deceive or to violate any of the provisions of this article shall be
4 deemed guilty of a misdemeanor.

Sec. 114. SALE OF UNCLEAN OR UNWHOLESOME MILK FOR CONSUMPTION AND
 2 UNSANITARY CONTAINERS PROHIBITED.] No person, firm or corporation shall offer
 3 for sale, or sell to any person, firm or corporation, creamery or cheese factory,
 4 any unclean, unhealthful, unwholesome or adulterated milk or cream or any milk
 5 or cream which has not been well cooled or to which water or any foreign sub-
 6 stance has been added, or milk or cream which has been handled or transported
 7 in unclean or unsanitary vessels or containers: *Provided*, that nothing in this
 8 section shall be construed to prevent the sale of skim milk to factories engaged
 9 in the manufacture of skim milk products, nor the sale of skim milk under the
 10 succeeding sections of this article.

Sec. 115. PERSONS RECEIVING MILK TO WASH CANS.] Any person, firm or cor-
 2 poration who receives from any other person, firm or corporation, any milk or
 3 cream in cans, bottles or vessels which have been transported over any railroad
 4 or boat line, where such can, bottles or vessels are to be returned, shall cause
 5 such cans, bottles or vessels to be emptied before the milk or cream contained
 6 therein shall become sour, and shall cause such cans, bottles or vessels to be im-
 7 mediately washed and thoroughly cleansed and aired.

Sec. 116. NOT TO MANUFACTURE FOOD FROM IMPURE OR UNCLEAN MILK OR
 2 CREAM.] No person, firm or corporation shall manufacture from unclean, im-
 3 pure, unhealthful or unwholesome milk, or from cream from the same, any ar-
 4 ticle of food.

Sec. 117. SALE OF SKIM MILK—CANS—HOW LABELED.] No person, firm or
 2 corporation shall sell, or expose for sale, or have in his possession with intent
 3 to sell, in any store or place of business, or on any wagon or other vehicle, used
 4 in transporting milk from which cream has been removed, any such milk or milk
 5 commonly called "skim milk" without first attaching to the can, vessel or other
 6 package containing such milk, a tag with the words "skim milk" printed on both
 7 sides of such tag in large letters, each letter being at least three-fourths of an
 8 inch high and one-half inch wide. Such tag shall be attached to the top or side
 9 of such can, vessel, or package where it can be easily seen.

Sec. 118. INSTRUMENTS FOR MEASURING MILK AND CREAM STANDARD.] The

2 State standard milk measure or pipettes shall have for milk a capacity of seven-
3 teen and six-tenths cubic centimeters, and the State standard test tube or bottles
4 for milk shall have a capacity of two cubic centimeters at a temperature of sixty
5 degrees Fahrenheit between "zero" and ten on the graduated scale marked on
6 the necks thereof. For cream nine or eighteen grams shall be used, and the
7 standard test tubes or bottles for cream shall have a capacity of three or six
8 cubic centimeters, respectively, at a temperature of sixty degrees Fahrenheit
9 between "zero" and thirty on the graduated scale marked on the necks thereof,
10 and it is hereby made a misdemeanor to use any other measure, pipette, test tubes
11 or bottle to determine the per cent of butter fat where milk or cream is pur-
12 chased by, or furnished to creameries or cheese factories, and where the value
13 of milk is determined by the per cent of butter fat contained in the same. Any
14 manufacturer, merchant, dealer, or agent in this State who shall offer for sale or
15 sell a cream or milk pipette or measure, test tube or bottle which is not correct-
16 ly marked or graduated as herein provided, shall be guilty of a misdemeanor.

Sec. 119. No person shall operate a milk or cream testing apparatus to de-

2 termine the percentage of butter fat in milk or cream for the purpose of pur-
3 chasing the same either for himself or for another without first securing a li-
4 cense from the director, authorizing such person to so operate such tester. Any
5 person desiring to secure such license shall make application therefor on a blank
6 to be prepared and provided by the director, and such applicant, before being
7 issued such license, shall pass a satisfactory examination in person and prove
8 by actual demonstration that he is competent and qualified to properly use such
9 tester and make an accurate test with the same.

10 Such license shall be issued for a period of two (2) years from and after
11 the date of its issuance and a fee of one dollar (\$1.00) shall be paid for such
12 license by the licensee upon the issuance thereof. The director for just cause
13 shall have authority to revoke any license issued under the provisions of this
14 section.

15 The fees collected under the provisions of this section shall be paid into
16 the State treasury monthly.

Sec. 120. UNDERREADING BABCOCK TEST PROHIBITED.] It shall be unlawful for
2 the owner, manager, agent, or any employee of a creamery or cheese factory to
3 manipulate or underread the Babcock test, or any other contrivance used for de-
4 termining the quality or value of milk or cream or to falsify the record there-
5 of, or to pay for such milk or cream on the basis of any measurement except the
6 true measurement as thereby determined.

Sec. 121. SALE OF PRESERVATIVES PROHIBITED.] No person, firm or corpora-
2 tion shall manufacture for sale, advertise, offer or expose for sale, or sell, any
3 mixture or compound intended for use as a preservative or other adulterant
4 of milk, cream, butter or cheese, nor shall he manufacture for sale, advertise,
5 offer or expose for sale, or sell any unwholesome or injurious preservative or
6 any mixture or compound thereof intended as a preservative of any food:
7 *Provided, however,* that this section shall not apply to pure salt added to butter
8 and cheese.

Sec. 122. VEHICLES TO BE MARKED.] Any person, firm or corporation, who
2 shall in any of the cities, incorporated towns or villages of this State which con-
3 tains a population of 5,000 or over, engage in or carry on a retail business in the
4 sale or exchange of, or any retail traffic in milk or cream shall have each and
5 every carriage or vehicle from which the same is vended, conspicuously marked
6 with the name of such vendor on both sides of such carriage or vehicle.

Sec. 123. ILLEGAL LARD.] No person shall, within this State, manufacture
2 for sale, have in his possession with intent to sell, offer or expose for sale, or sell,
3 as lard, any substance not the legitimate and exclusive product of the fat of
4 the hog.

Sec. 124. LARD SUBSTITUTE.] No person shall manufacture for sale within
2 this State, or have in his possession with intent to sell, offer or expose for sale,

3 or sell, as lard, or as a substitute for lard, or as an imitation of lard, any mixture
4 or compound which is designed to take the place of lard and which is made from
5 animal or vegetable oils or fats other than the fat of the hog, or any mixture or
6 combination with any animal or vegetable oils or fats, unless the tierce, barrel,
7 tub, pail or package containing the same shall be distinctly and legibly branded
8 or labeled with the name of the person, firm or corporation making the same,
9 together with the location of the manufactory and the words "lard substitute" or
10 "adulterated lard" or "compound," "imitation" or "blend," as the case may
11 be, or unless the same shall be sold under its own distinctive name, as otherwise
12 provided in this article.

Sec. 125. PERSONS SELLING IMITATION OR SUBSTITUTE FOR LARD TO INFORM PUR-
2 CHASER.] It shall be unlawful to sell or offer for sale any "lard substitute" or
3 "adulterated lard" or "compound," "imitation" or "blend," as herein defined,
4 without informing the purchaser thereof, or the person or persons to whom the
5 same is offered for sale, that the substance sold or offered for sale is "lard
6 substitute" or "adulterated lard" or "compound," "imitation" or "blend," as
7 the case may be.

Sec. 126. SALE OF PROCESS BUTTER NOT BRANDED PROHIBITED.] No person, firm
2 or corporation, agent or employee, shall manufacture for sale, sell or offer or
3 expose for sale, in this State, any butter that is produced by taking original
4 packing stock butter, or other butter, or both, and melting same so that the butter
5 fat can be drawn off or extracted, then mixing the said butter fat with skimmed
6 milk, or milk, or cream, or other milk product, and rechurning or reworking the
7 said mixture, or that produced by any process that is commonly known as boil-
8 ed, process or renovated butter, unless the same is branded or marked, as pro-
9 vided in the next succeeding section of this article.

Sec. 127. PROCESS BUTTER—HOW BRANDED.] No person, firm or corpora-
2 tion, agent or employee, shall sell, or offer or expose for sale, or deliver to a
3 purchaser, any boiled, process or renovated butter, as defined in the preceding

4 section of this article, unless the words "Renovated Butter" shall be plainly
 5 branded with gothic or bold face letters at least three-fourths of an inch in
 6 length on the top and sides of each tub, or box, or pail, or other kind of case
 7 or package, or on the wrapper of prints or rolls or bulk packages in which it
 8 is put up. If such butter is exposed for sale uncovered, or not in a case or
 9 package, a placard containing the label so printed shall be attached to the mass
 10 of butter in such a manner as to be easily seen and read by the purchaser. The
 11 branding or marking of all packages shall be in the English language, and in a
 12 conspicuous place so as to be easily seen and read by the purchaser.

Sec. 128. ILLEGAL FOODS TO BE SEIZED.] Whenever the director or his
 2 agents shall have ground for suspicion that any article of food, found in
 3 possession of any person, firm or corporation, is adulterated or misbranded
 4 within the meaning of this article he may seize such article of food and make
 5 an inventory thereof, and shall leave a copy of such inventory with the party
 6 holding such suspected goods, and tag the same "suspected;" and he shall
 7 notify in writing the person, firm or corporation in whose possession it may
 8 be found, not to offer the same for sale or sell or otherwise dispose of the
 9 same until further notice in writing from the director. Whereupon the di-
 10 rector shall forthwith cause a sample of such article of food to be examined
 11 or analyzed, and if the same shall be found to be adulterated or misbranded
 12 within the meaning of this article, the commissioner shall proceed with a hear-
 13 ing and subsequent proceedings as provided in this article. If, however, such
 14 examination or analysis shall show that such article of food complies with the
 15 provisions of this article, the person, firm or corporation in whose possession
 16 such article of food is found shall forthwith be notified in writing that such
 17 seizure is released, and authority given to dispose of such article of food.
 18 Such seizure may be had without a warrant and the director and all inspectors
 19 and agents appointed pursuant to law, are hereby given full power and auth-
 20 ority of "policemen." Any court having jurisdiction, upon receiving proof of
 21 probable cause for believing in the concealment of any food or dairy product or
 22 substitutes therefor, or imitation thereof, kept for sale or for a purpose, or

23 had in possession or under control, contrary to the provisions of this article,
24 or other laws which now exist or may be hereafter enacted, shall issue a search
25 warrant and cause a search to be made in any place therefor, and to that end
26 may cause any building, enclosure, wagon or car to be entered, and any apart-
27 ment, chest, box, locker, tub, jar, crate, basket or package to be broken open
28 and the contents thereof examined.

Sec. 129. SEARCH WARRANTS TO BE ISSUED FOR ILLEGAL FOOD.] All warrants
2 issued pursuant to the preceding section shall be directed to the sheriff, bailiff
3 or some constable of the county where such food or dairy products may be
4 supposed to be concealed, commanding such officer to search the house or
5 place where such food or dairy product, or substitute thereof, or imitation
6 thereof for which he is required to search, is believed to be concealed, which
7 place and the property to be searched for, shall be designated in the warrant,
8 and to bring such food or dairy product or substitute therefor or imitation
9 thereof, when found, and the person in whose possession the same is found,
10 before the magistrate who issued the warrant, or before some other court or
11 magistrate having jurisdiction of the case to be proceeded against as herein-
12 before provided for in this article.

Sec. 130. STATE'S ATTORNEY TO ASSIST.] It shall be the duty of the State's
2 Attorney in any county of this State when called upon by the director or
3 any of his assistants, to render any legal assistance in his power to execute the
4 law and to prosecute cases arising under the provisions of this article: *Pro-*
5 *vided*, that no person shall be prosecuted under the provisions of this article
6 for selling or offering for sale any article of food or drugs as defined herein,
7 when the same is found to be adulterated or misbranded within the meaning
8 of this article, in the original unbroken package in which it was received by
9 such person when he can establish a guaranty signed by the wholesaler, jobber,
10 manufacturer or other party residing in this State, from whom he purchased
11 such article, to the effect that the same is not adulterated or misbranded
12 in the original unbroken package in which such article was received by such

13 dealer, within the meaning of this article, designating it. Such guaranty to af-
 14 ford protection, shall contain the name and address of the party or parties mak-
 15 ing the sale of such article to such dealer, and in such case such party or
 16 parties shall be amenable to the prosecutions, fines and other penalties as pro-
 17 vided for in this article: *Provided*, that no such guaranty shall operate as a
 18 defense to prosecutions for the violation of this article: First, if the dealer
 19 shall continue to sell after notice by the director that such article is adulterated
 20 or misbranded within the meaning of this article; second, if the dealer shall
 21 fail to preserve for the manufacturer or guarantor and deliver to him upon
 22 demand the sample left with him by the director or his agent.

Sec. 132. STATE ANALYST SHALL NOT FURNISH CERTIFICATE OF PURITY.] It shall
 2 be unlawful for the State Analyst or any assistant State Analyst to furnish to
 3 any individual, firm or corporation any certificate as to the purity or excellence
 4 of any article manufactured or sold by them to be used as food or in the pre-
 5 paration of food.

Sec. 133. USING SHIFT OR DEVICE.] The use of any shift or device to
 2 evade any of the provisions of this article shall be deemed a violation of such
 3 provision and punishable as herein provided.

Sec. 134. MASTER'S LIABILITY, ETC.] Whoever shall, by himself or another,
 2 either as principal, clerk or servant, directly or indirectly, violate any of the pro-
 3 visions of this Act, shall be guilty of a misdemeanor and punished as herein
 4 provided.

Sec. 135. PENALTIES, LICENSE FEES AND PROCEEDS PAID TO THE STATE TREAS-
 2 URER.] All fines, penalties, and all proceeds collected from goods confiscated
 3 and sold under the provisions of this article and other laws relating to dairy
 4 and food products, and all license fees collected hereunder, shall be paid into
 5 the State treasury.

Sec. 136. LABEL—SIZE OF TYPE.] The principal label on any package of
 2 food, as defined by this Act, shall be printed plainly and legibly in English with

3 or without the foreign label in the language of the country where the product is
4 produced or manufactured and the size of type, if not otherwise described in
5 this article, shall not be smaller than eight-point (brevier) caps: *Provided*,
6 that in case the size of the package will not permit the use of eight-point cap
7 type, the size of the type may be reduced proportionately.

Sec. 137. FOOD COMMISSIONER TO MAKE RULES AND REGULATIONS.] The di-
2 rector shall make rules and regulations for carrying out the provisions of this
3 article and regulating the analyzing and reporting thereon of samples taken un-
4 der any law or laws of the United States by any person hereunder, or furnished
5 by any officer or employee charged with the enforcement of the laws of the Unit-
6 ed States relative to the manufacture, sale or transportation of adulterated,
7 misbranded, poisonous or deleterious foods, dairy products or articles manu-
8 factured from dairy products or liquors.

Sec. 138. STANDARD OF PURITY AND STRENGTH.] In the enforcement of this
2 article, and in the construction thereof, the following named articles of food
3 stuffs, when offered for sale or exposed for sale, or sold, shall conform to the
4 analytical requirements set opposite each, respectively.

5 *Milk* shall contain not less than three (3) per cent. of milk fat and not less
6 than eight and one-half per cent. of solids, not fat.

7 *Cream* shall contain not less than eighteen (18) per cent. of milk fat.

8 *Maple Sugar* shall contain not less than sixty-five one-hundredths (0.65)
9 per cent. of maple ash in the water-free substance.

10 *Honey* is laevo-rotory, contains not more than twenty-five (25) per cent. of
11 water, nor more than twenty-five hundredths (0.25) per cent. of ash and not more
12 than eight (8) per cent. of sucrose..

13 *Cloves* shall contain not more than five (5) per cent. of clove stems, not
14 less than ten (10) per cent. of volatile ether extract, not less than twelve (12)
15 per cent. of quercitannic acid, not more than eight (8) per cent. of total ash, not
16 more than five-tenths (0.5) per cent. of ash insoluble in hydrochloric acid, and
17 not more than ten (10) per cent. of crude fiber.

18 *Black Pepper* shall contain not less than six (6) per cent. of nonvolatile
19 ether extract, not less than twenty-five (25) per cent. of pepper starch, not
20 more than seven (7) per cent. of total ash, not more than two (2) per cent. of
21 ash insoluble in hydrochloric acid, and not more than fifteen (15) per cent. of
22 crude fiber.

23 *Lemon Extract* shall contain not less than five (5) per cent. of oil of lemon
24 by volume.

25 *Orange Extract* shall contain not less than five (5) per cent. of oil of orange
26 by volume.

27 *Vanilla Extract* shall contain in one hundred (100) cubic centimeters the
28 soluble matters from not less than ten (10) grams of vanilla bean.

29 *Olive Oil* has a refractive index (25° C.) not less than one and forty-six
30 hundred and sixty ten thousands (1.4660) and not exceeding one and forty-six
31 hundred and eighty ten thousandths (1.4680), and an iodine number not less than
32 seventy-nine (79) and not exceeding ninety (90).

33 *All Vinegars* shall contain four (4) grams of acetic acid in one hundred (100)
34 cubic centimeters (20° C.)

35 *Cider Vinegar* shall contain not less than six-tenths (0.6) grams of apple
36 solids, and not less than twenty-five hundredths (0.25) grams of apple ash in one
37 hundred (100) cubic centimeters (20° C.).

38 *Wine Vinegar* shall contain not less than one (1) gram of grape solids and
39 not less than thirteen hundredths (0.13) gram of grape ash in one hundred cu-
40 bic centimeters (20° C.).

41 *Malt Vinegar* shall contain in one hundred (100) cubic centimeters (20° C.)
42 not less than two (2) grams of solids and not less than two-tenths (0.2) gram
43 of ash.

44 In the enforcement of this article and the construction thereof all articles
45 of food not defined in this article, when offered for sale or exposed for sale, or
46 sold, shall conform to the definition and analytical requirements of the standard
47 adopted and promulgated from time to time by the State Food Standard Com-
48 mission: *Provided*, such standards for any article of food or drink, or for any

49 substance used or intended to be used in food or drink shall be deemed *prima*
50 *facie* evidence of the proper standard of quality, purity and strength of any
51 such article or substance, but shall only be deemed such *prima facie* evidence in
52 the trial of cases brought in the proper courts to enforce the provisions of this
53 article: *Provided*, that nothing in this section shall be construed to prevent the
54 sale of any wholesome food product which varies from such standards, if such
55 article of food be labeled so as to clearly indicate such variation.

Sec. 139. Whoever offers for sale, exposes for sale, or sells any article of
2 food which does not conform to the definition or analytical requirements pro-
3 vided for in the preceding section of this article shall be guilty of a misdemeanor
4 and shall be punished as herein provided.

Sec. 140 PRELIMINARY HEARING BY THE COMMISSIONER.] When it appears
2 from the examination or analysis that the provisions of this article have been
3 violated, the director shall cause notice of such fact together with a copy of the
4 findings, to be given to the party or parties from whom the sample was obtained;
5 and to the party, if any, whose name appears upon the label as manufacturer,
6 packer, wholesaler, retailer, or other dealer, by registered mail. The
6½ receipt of the postoffice department for such registered notice shall
7 be received as *prima facie* evidence that such notice has been given.
8 The party, or parties, so notified, shall be given an opportunity to be heard
9 under such rules and regulations as may be prescribed as aforesaid. Notices
10 shall specify the date, hour and place of the hearing. The hearing shall be
11 private, and the parties interested therein may appear in person or by attorney.
12 If, after such hearing, the director shall believe this article has been violated,
13 he shall cause the party or parties whom he believes to be guilty, to be prose-
14 cuted forthwith, under the provisions of this article. No action or prosecution
15 shall be instituted against any person for a violation of the provisions of this
16 article, unless the same shall have been commenced within six months from the
17 taking of such sample.

Sec. 141. PENALTY.] Any person convicted of violating any of the foregoing
2 provisions of this article shall, for the first offense, be punished by fine in any

3 sum not less than fifteen (15) dollars and not more than one hundred (\$100) dol-
 4 lars, or by imprisonment in the county jail not exceeding thirty days, or by both
 5 such fine and imprisonment, in the discretion of the court, and for the second and
 6 each subsequent offense by a fine of not less than twenty-five (\$25) dollars and
 7 not more than two hundred (\$200) dollars, or by imprisonment in the county jail
 8 not exceeding one year, or both, in the discretion of the court; or the fine above
 9 may be sued for and recovered before any justice of the peace or any other
 10 court of competent jurisdiction in the county where the offense shall have been
 11 committed, at the instance of the director or any other person in the name of the
 12 People of the State of Illinois as plaintiff and shall be recovered in an action of
 13 debt.

Sec. 142. JUDGMENT—ISSUING CAPIAS.] When the rendition of the judgment
 2 imposes a fine as provided in any of the sections of this article, it shall be the
 3 duty of the justice of the peace or other court rendering such judgment also to
 4 render a judgment for costs and such justice of the peace or other court shall
 5 forthwith issue a capias or warrant of commitment against the body of the de-
 6 fendant commanding that unless the fine and costs be forthwith paid the defend-
 7 ant shall be committed to the jail of the county and the constable or other officer,
 8 to whose hand such capias or warrant shall come, shall in default of such pay-
 9 ment, arrest the defendant and commit him to the jail of the county, there to re-
 10 main as provided in section 171 of "An Act to revise the law in relation to
 11 criminal jurisprudence," in force July 1, 1885, unless such fine and costs shall
 12 sooner be paid.

(c). THE SANITARY FOOD LAW.

Sec. 143. Every building, room, basement, enclosure or premises, occupied,
 2 used or maintained as a bakery, confectionery, cannery, packing house, slaughter
 3 house, creamery, cheese factory, restaurant, hotel, grocery, meat market, or for
 4 the manufacture of butterine or ice cream, or as a factory, shop, warehouse, any
 5 public place or manufacturing establishment used for the preparation, manufac-
 6 ture, packing, storage, sale or distribution of any food as defined by statute,

7 which is intended for sale, shall be properly and adequately lighted, drained,
8 plumbed and ventilated, and shall be conducted with strict regard to the influence
9 of such conditions upon the health of the operatives, employees, clerks, or
10 other persons therein employed, and the purity and wholesomeness of the food
11 therein produced, prepared, manufactured, packed, stored, sold or distributed.

Sec. 144. The floors, sidewalks, ceilings, furniture, receptacles, implements
2 and machinery of every such establishment or place where such food intended for
3 sale is produced, prepared, manufactured, packed, stored, sold or distributed,
4 and all cars, trucks and vehicles used in the transportation of such food prod-
5 ucts, shall at no time be kept or permitted to remain in an unclean, unhealthful
6 or insanitary condition; and for the purpose of this article, unclean, unhealthful
7 and insanitary conditions shall be deemed to exist if food in the process of pro-
8 duction, preparation, manufacture, packing, storing, sale, distribution or trans-
9 portation is not securely protected from flies, dust, dirt, and as far as may be
10 necessary, by all reasonable means, from all other foreign or injurious contam-
11 ination; or if the refuse, dirt or waste products subject to decomposition and
12 fermentation incident to the manufacture, preparation, packing, storing, selling,
13 distributing or transportation of such food are not removed daily, or if all
14 trucks, trays, boxes, buckets or other receptacles, or the shutes, platforms, racks,
15 tables, shelves, and knives, saws, cleavers or other utensils, or the machinery used
16 in moving, handling, cutting, chopping, mixing, canning or other processes are
17 not thoroughly cleaned daily; or if the clothing of operatives, employees, clerks,
18 or other persons therein employed, is unclean.

Sec. 145. The sidewalls and ceilings of every bakery, confectionery, cream-
2 ery, cheese factory, and hotel or restaurant kitchen shall be so constructed that
3 they can easily be kept clean and every building, room, basement, or inclosure oc-
4 cupied or used for the preparation, manufacture, packing, storage, sale or distri-
5 bution of food shall have an impermeable floor made of cement or tile laid in
6 cement, brick, wood or other suitable material which can be flushed and washed
7 clean with water.

Sec. 146. All such factories, buildings, and other places containing food shall be so provided with proper doors and screens adequate to prevent contamination of the product from flies.

Sec. 147. Every such building, room, basement, inclosure, or premises occupied, used or maintained for the production, preparation, manufacture, canning, packing, storage, sale or distribution of such food, shall have adequate and convenient toilet rooms, lavatory or lavatories. The toilet rooms shall be separate and apart from the room or rooms where the process of production, preparation, manufacture, packing, storing, canning, selling and distributing is conducted. The floors of such toilet rooms shall be of cement, tile, wood, brick or other non-absorbent material, and shall be washed and scoured daily. Such toilet or toilets shall be furnished with separate ventilating flues and pipes discharging into soil pipes or shall be on the outside of and well removed from the building. Lavatories and wash rooms shall be adjacent to toilet rooms, or when the toilet is outside of the building, the wash room shall be near the exit to the toilet and shall be supplied with soap, running water and towels and shall be maintained in a sanitary condition.

Sec. 148. If any such building, room, basement, inclosure, or premises occupied, used or maintained for the purposes of the aforesaid, or if the floors, sidewalls, ceilings, furniture, receptacles, implements, appliances or machinery of any such establishment, shall be constructed, kept, maintained, or permitted to remain in a condition contrary to any of the requirements or provisions of the last five preceding sections of this article, the same is hereby declared a nuisance, and any toilet, toilet room, lavatory or wash room as aforesaid, which shall be constructed, kept, maintained or permitted to remain in a condition contrary to the requirements or provisions of this article, is hereby declared a nuisance and any car, truck, or vehicle used in the moving or transportation of any food product as aforesaid, which shall be kept or permitted to remain in an unclean, unhealthful or insanitary condition is hereby declared a nuisance. Whoever unlawfully maintains, or allows or permits to exist a nuisance as herein de-

14 fined shall be guilty of a misdemeanor, and, on conviction thereof, shall be pun-
15 ished as herein provided.

Sec. 149. Every person, firm or corporation operating or maintaining an es-
2 tablishment or place where food is produced, prepared, manufactured, packed,
3 stored, sold or distributed shall provide the necessary cuspidors for the use of
4 the operatives, employees, clerks and other persons and each cuspidor shall be
5 thoroughly emptied and washed out daily with water or a disinfectant solution,
6 and five ounces thereof shall be left in each cuspidor while it is in use. Who-
7 ever fails to observe the provisions of this section shall be guilty of a misde-
8 meanor, and punished as hereinafter provided.

Sec. 150. No operative, employee, or other person shall expectorate on the
2 food or on the utensils or on the floors or sidewalls of any building, room, base-
3 ment or cellar where the production, preparation, manufacture, packing, storing
4 or sale of any such food is conducted. Operatives, employees, clerks, and all
5 other persons who handle the material from which such food is prepared or
6 the finished product, before beginning work, or after visiting toilet or toilets,
7 shall wash their hands thoroughly in clean water. Whoever fails to observe
8 or violates the provisions of this section shall be guilty of a misdemeanor and
9 punished by a fine of not more than twenty-five dollars.

Sec. 151. It shall be unlawful for any person to sleep, or to allow or permit
2 any person to sleep in any work room of a bake shop, kitchen, dining room,
3 confectionery, creamery, cheese factory or any place where food is prepared
4 for sale, served or sold, unless all foods therein handled are at all times in her-
5 metically sealed packages.

Sec. 152. It shall be unlawful for an employer to require, suffer or permit
2 any person who is affected with any contagious or venereal disease to work, or
3 for any person so affected to work in a building, room, basement, inclosure,
4 premises or vehicle occupied or used for the production, preparation, manu-
5 facture, packing, storage, sale, distribution, or transportation of food.

Sec. 153. It shall be the duty of the director to enforce this article and for
2 that purpose the director and his appointees shall have full power at all times
3 to enter every such building, room, basement, inclosure or premises occupied or
4 used or suspected of being occupied or used for the production, preparation or
5 manufacture for sale, or the storage, sale, distribution or transportation of such
6 food, to inspect the premises and all utensils, fixtures furniture and machinery
7 used as aforesaid; and if upon inspection any such food producing or distribut-
8 ing establishment, conveyance, or any employer, employee, clerk, driver or other
9 person is found to be violating any of the provisions of this article, or if the
10 production, preparation, manufacture, packing, storage, sale, distribution or
11 transportation of such food is being conducted in a manner detrimental to the
12 health of the employees and operatives, or to the character or
12½ quality of the food therein being produced, manufactured, packed,
13 stored, sold distributed or conveyed, the officer or inspector making the
14 inspection or examination shall report such conditions and violations to the di-
15 rector. The director shall thereupon issue a written order to the person, firm or
16 corporation responsible for the violation or condition aforesaid to abate such
17 condition or violation or to make such changes or improvements as may be
18 necessary to abate them, within such reasonable time as may be required in which
19 to abate them. Notice of such order may be served by delivering a copy thereof
20 to such person, firm or corporation, or by sending a copy thereof by registered
21 mail, and the receipt thereof through the postoffice shall be *prima facie* evidence
22 that notice of said order has been received. Such person, firm or corporation
23 shall have the right to appear in person or by attorney before the director, or the
24 person appointed by him for such purpose, within the time limited in the order,
25 and shall be given an opportunity to be heard and to show why such order or in-
26 structions should not be obeyed. Such hearing shall be under such rules and
27 regulations as may be prescribed by the director. If after such hearing it shall
28 appear that the provisions or requirements of this article have not been violated,

29 said order shall be rescinded. If it shall appear that the requirements or provis-
30 ions of this article are being violated, and that the person, firm or corporation
31 notified as aforesaid is responsible therefor, such previous order shall be con-
32 firmed or amended, as the facts shall warrant, and shall thereupon be final, but
33 such additional time as is necessary may be granted within which to comply with
34 such final order. If such person, firm or corporation is not present or repre-
35 sented when such final order is made, notice thereof shall be given as above
36 provided. On failure of the party or parties to comply with the first order of the
37 director within the time prescribed, when no hearing is demanded, or upon fail-
38 ure to comply with the final order, within the time specified, the director shall
39 certify the facts to the State's Attorney of the county in which such violaion oc-
40 curred, and such State's Attorney shall proceed against the party or parties for
41 the fines and penalties provided by this article, and also for the abatement of
42 the nuisance: *Provided*, that the proceedings herein prescribed for the abate-
43 ment of nuisances as defined in this article shall not in any manner relieve the
44 violator from prosecution in the first instance for every such violation, nor from
45 the penalties for such violation prescribed by this article.

Sec. 154. All fines collected under the provisions of this subdivision of this
2 article shall be paid into the county treasury of the county in which the prosecu-
3 tion is brought, and it shall be the duty of the State's Attorneys in the respec-
4 tive counties to prosecute all persons violating or refusing to obey the provisions
5 of this article.

Sec. 155. Whoever violates any of the provisions of this subdivision of this
2 article of this Act, or who refuses to comply with any lawful order or require-
3 ment of the director, duly made in writing as provided herein, shall be guilty of a
4 misdemeanor and on conviction shall be punished for the first offense by a fine of
5 not less than ten dollars (\$10.00) nor more than two hundred dollars (\$200.00),
6 and for the second and subsequent offenses by a fine of not less than fifty dol-
7 lars (\$50.00) nor more than two hundred dollars (\$200.00), or by imprisonment
8 in the county jail for not more than ninety days, or both, in the discretion of the

9 court, and each day after the expiration of the time limit for abating insanitary
 10 conditions and completing improvements to abate such conditions, as ordered by
 11 the director, as aforesaid, shall constitute a distinct and separate offense.

(d) *The Oleomargarine Law.*

Sec. 156. That for the purpose of this subdivision of this article, every ar-
 2 ticle, substitute or compound or any other than that which is produced from pure
 3 milk or cream therefrom, made in the semblance of butter and designed to be used
 4 as a substitute for butter made from pure milk or its cream, is hereby declared to
 5 be imitation butter: *Provided*, that the use of salt and harmless coloring matter
 6 for coloring the product of pure milk or cream shall not be construed to render
 7 such product an imitation.

Sec. 157. No person shall coat, powder or color with annato or any coloring
 2 matter whatever, any substances designed as a substitute for butter, whereby
 3 such substitute or product so colored or compounded shall be made to resemble
 4 butter, the product of the dairy.

5 No person shall combine any animal fat or vegetable oil or other substance
 6 with butter, or combine therewith, or with animal fat or vegetable oil, or combina-
 7 tion of the two, or with either one, any other substance or substances, for the
 8 purpose or with the effect of imparting thereto a yellow color or any shade of
 9 yellow so that such substitute shall resemble yellow or any shade of genuine yel-
 10 low butter, nor introduce any such coloring matter or such substance or sub-
 11 stances into any of the articles of which the same is composed: *Provided*, noth-
 12 ing herein contained shall be construed to prohibit the use of salt, rennet and
 13 harmless coloring matter for coloring the products of pure milk or cream from
 14 the same.

15 No person shall, by himself, his agent, or employees, produce or manufac-
 16 ture any substance in imitation, or semblance of natural butter, nor sell nor keep
 17 for sale, nor offer for sale, any imitation butter, made or manufactured, com-
 18 pounded or produced in violation of this section, whether such imitation butter
 19 shall be made or produced in this State or elsewhere.

20 This section shall not be construed to prohibit the manufacture and sale, un-
21 der the regulations hereinafter provided, of substances designed to be used, as a
22 substitute for butter and not manufactured or colored as herein provided.

Sec. 158. Every person who lawfully manufactures any substances de-
2 signed to be used as a substitute for butter, shall mark by branding, stamping
3 or stenciling upon the top or side of each box, tub, firkin or other package in
4 which such article shall be kept, and in which it shall be removed from the place
5 where it is produced, in a clear and durable manner in the English language, the
6 word "oleomargarine," or the word "butterine," or the words "substitute for
7 butter," or the words "imitation butter," in printed letters in plain Roman
8 type, each of which shall not be less than three-quarters of an inch in length.

Sec. 159. It shall be unlawful to sell or offer for sale any imitation but-
2 ter without informing the purchaser thereof, or the person or persons to whom
3 the same is offered for sale, that the substance sold or offered for sale is imita-
4 tion butter.

Sec. 160. No person, by himself or others, shall ship, consign or forward
2 by any common carrier, whether public or private, any substance designed to
3 be used as a substitute for butter unless it shall be marked or branded on each
4 tub, box, firkin, jar or other package containing the same, as provided in this
5 subdivision of this article, and unless it be consigned by the carriers and re-
6 ceipted for by its true name: *Provided*, that this section shall not apply to any
7 goods in transit between foreign states across the State of Illinois.

Sec. 161. No person shall have in his possession or under his control any
2 substance designed to be used as a substitute for butter, unless the tub, firkin,
3 jar, box or other package containing the same be clearly and durably marked as
4 provided herein: *Provided*, that this section shall not be deemed to apply to per-
5 sons who have the same in their possession for the actual consumption of them-
6 selves or their families. Every person who shall have possession or control of
7 any imitation butter for the purpose of selling the same which is not marked as

8 required by the provisions of this article, shall be presumed to have known dur-
9 ing the time of such possession or control the true character and name, as fixed
10 by this article, of such product.

Sec. 162. Whoever shall have possession or control of any imitation butter
2 or any substance designed to be used as a substitute for butter, contrary to the
3 provisions of this subdivision of this article, for the purpose of selling the same,
4 or offering the same for sale, shall be held to have possession of such property
5 with intent to use it in violation of this article.

Sec. 163. No action shall be maintained on account of any sale or contract
2 made in violation of, or with intent to violate, this subdivision of this article, by
3 or through any person who was knowingly a party to such wrongful sale or con-
4 tract.

Sec. 164. Whoever shall deface, erase or remove any mark provided by this
2 subdivision of this article, with intent to mislead, deceive or to violate any of
3 the provisions of this subdivision of this article, shall be guilty of a misde-
4 meanor.

Sec. 165. Whoever shall violate any of the provisions of this subdivision of
2 this article shall be punished by a fine of not less than \$50 nor more than \$200,
3 or by imprisonment in the county jail not to exceed 60 days for each offense, or
4 by both fine and imprisonment, in the discretion of the court, or the fine alone
5 may be sued for and recovered before any justice of the peace in the county
6 where the offense shall be committed, at the instance of any person in the name
7 of the People of the State of Illinois as plaintiff.

ARTICLE XXI.

SAVINGS AND REPEAL.

Sec. 166. All licenses, registration certificates or other certificates hereto-
2 fore issued by the State Board of Health, the State Board of Pharmacy, the State
3 Board of Dental Examiners, and the Board of Nurse Examiners under any pre-

4 vious law of this State, shall be good, valid and binding and are hereby continued
5 in force under the provisions of this Act.

6 It shall be the duty of the several boards, commissions and officers whose
7 powers and duties are superceded by the provisions of this Act to continue in the
8 discharge of such duties until the appointment and qualification of their respec-
9 tive successors under the provisions of this Act.

10 It shall be the duty of the State Board of Health, the Board of Nurse Exam-
11 iners, and the Board of Examiners of Barbers, respectively, upon the taking ef-
12 fect of this Act, to transmit, deliver and surrender to the Health Commissioner
13 all furniture, office supplies and all other chattel property and all records,
14 books, papers, documents and writings in the possession or under the control of
15 such officers or boards, respectively, and it shall be the duty of the health com-
16 missioner to accept and take over such office furniture, office supplies and other
17 chattel property and records, books, papers, documents and writings. If in any
18 statute power is vested in or a duty imposed upon the State Board of Health such
19 power shall be exercised by the Health Commissioner under the provisions of
20 this Act.

Sec. 167. That the following Acts and all amendments thereto be and the
2 same are hereby repealed:

3 "An Act to create and establish a Board of Health in the State of Illinois,"
4 approved May 28, 1877, in force July 1, 1877;

5 "An Act requiring reports of births and deaths and the recording of the
6 same and prescribing a penalty for non-compliance with the provisions thereof,
7 and repealing certain Acts therein named. approved May 6, 1903, in force July
8 1, 1903;

9 An Act providing for the regulation of the embalming and disposal of dead
10 bodies for a system of examination, registering and licensing of embalmers and
11 imposing penalties for the violation of any of its provisions," approved May
12 13, 1905, in force July 1, 1905;

13 “An Act to regulate the practice of medicine in the State of Illinois, and to
14 repeal an Act therein named,” approved April 24, 1899, in force July 1, 1899;

15 “An Act to prohibit physicians from practicing medicine in the name of an-
16 other physician or by holding themselves out as another physician for the pur-
17 pose of imposing upon or defrauding any other person in this State,” approved
18 May 11, 1901, in force July 1, 1901;

19 “An Act to regulate the practice of pharmacy in the State of Illinois, to
20 make an appropriation therefor and to repeal certain Acts therein named,” ap-
21 proved May 1, 1901, in force July 1, 1901;

22 “An Act to regulate the practice of dental surgery and dentistry in the State
23 of Illinois, and to repeal certain Acts therein named,” approved June 11, 1909,
24 in force July 1, 1909;

25 “An Act to regulate the pursuit of the business, art and avocation of a bar-
26 ber, and to insure the better qualification of persons following such business in
27 the State of Illinois,” approved June 10, 1909, in force July 1, 1909;

28 “An Act relating to hotels, inns, and public lodging houses in cities, villages
29 and incorporated towns in the State of Illinois,” approved June 25, 1913, in force
30 July 1, 1913.

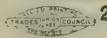
31 “An Act to provide for the appointment of a State Food Commissioner
32 and to define his powers and duties and fix his compensation, and to prohibit
33 and prevent adulteration, fraud and deception in the manufacture and sale of
34 articles of food, and to repeal certain Acts or parts of Acts therein named,”
35 approved April 24, 1899, in force July 1, 1899, except as to penalties.

36 “An Act to prevent fraud in the sale of dairy products, their imitation
37 or substitutes, to prohibit and prevent the manufacture and sale of unhealth-
38 ful, adulterated or misbranded food, liquors or dairy products, to provide for
39 the appointment of a State Food Commissioner and his assistants, to define
40 their powers and duties and to repeal all Acts relating to the production, manu-
41 facture and sale of dairy and food products and liquors in conflict herewith,”
42 approved May 14, 1907, in force July 1, 1907.

43 “An Act to prevent the preparation, manufacture, packing, storing, or dis-
44 tributing of food intended for sale, or sale of food, under insanitary, unhealthful
45 or unclean conditions or surroundings, to create a sanitary inspection, to de-
46 clare that such conditions shall constitute a nuisance, and, to provide for the
47 enforcement thereof,” approved June 5, 1911, in force July 1, 1911.

48 “An Act to regulate the manufacture and sale of substitutes for butter,”
49 approved June 14, 1897, in force July 1, 1897.

50 “An Act relating to the manufacture of butterine and ice cream,” ap-
51 proved June 3, 1907, in force July 1, 1907.



1 Introduced by Mr. Thompson, April 1, 1915.

2 Read by title, ordered printed and referred to Committee on Agriculture.

A BILL

For an Act to prevent and punish the sale or offering for sale of adulterated, impure or misbranded agricultural and vegetable seed and those lacking viability.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the term "agricultural seed," as
3 used in this Act, shall include the seeds of red clover, white clover, alsike clover,
4 alfalfa, Kentucky blue grass, timothy, brome grass, orchard grass, redtop,
5 meadow fescue, oat grass, rye grass and other grasses and forage plants, flax
6 rape and cereals and any seed sold for planting. "Vegetable seed" shall in-
7 clude any seed sold to be used in growing vegetables of any kind.

Sec. 2. Every parcel, package or lot of agricultural seeds, as defined in
2 section one, containing one pound or more, offered or exposed for sale in this
3 State for use within the State shall have affixed thereto in a conspicuous place on
4 the outside thereof, distinctly printed in the English language, in legible type,
5 a statement certifying:

6 First: The name of the seed.

7 Second: Full name and address of seedsman, importer, dealer or agent.

8 Third: A statement of the purity of the seed contained, specifying the kind
9 and percentage of the impurities, as defined in sections six and seven of this Act,
10 if the said seeds are below the prescribed standards.

11 Fourth: Locality where said seed was grown, when known.

Sec. 3. The Secretary of the State Board of Agriculture, in person or by
2 deputy or inspector, appointed by the board, is hereby authorized to take from
3 any lot or package of seeds over one pound in weight a sample not exceeding
4 four ounces in weight, said sample to be drawn or taken in the presence of the
5 party or parties in interest, or their representatives, and it shall be taken from
6 a parcel or lot of parcels which shall not be less than five per cent of the whole
7 lot inspected, or said sample may be taken in the presence of two disinter-
8 ested witnesses. Said sample so taken shall be forwarded to the State Board
9 of Agriculture for analysis and comparison, with the certified statements re-
10 quired by section two of this Act. A duplicate of said sample shall, upon re-
11 quest, be furnished to the person offering or exposing said seeds for sale.

Sec. 4. Upon receipt of a fee of fifty cents the State Board of Agriculture
2 shall furnish the person with whom the duplicate sample was left a report of
3 examination of said seeds.

Sec. 5. No person shall sell, offer or expose for sale or distribution in this
2 State, for the purpose of seeding, any of the agricultural seeds, as defined in
3 section one of this Act, unless said seeds are free from seed or bulbs of wild
4 onions, wild garlic, field garlic, crow garlic, wild leek, or genus *allium* species
5 *vineale* and *canadense*, or the following weeds; wild mustard or charlock (*Bras-*
6 *sica arvensis*, L. Ktz.), quack grass (*Agropyron repens*, L. Beauv.), Canada
7 thistle (*Cirsium arvense*, L. Scop.), wild oats (*Avena fatua*, L.), clover and alfal-
8 fa fodder (*Cuscuta Epithymum*, Murr), and corn cockle (*Agrostemma Githago*,

9 L.), cheat or chess (*Bromus secalinus*, L.), dog fennel (*Eupatorium capillifol-*
10 *ium*), wild carrot (*Daucus Carota*).

Sec. 6. The seeds of the following weeds shall be considered as impurities in
2 agricultural seeds sold, offered or exposed for sale within this State for the
3 purpose of seeding; cheat or chess (*Bromus secalinus*, L.) white cockle (*Lych-*
4 *nis alba*, Mill.), night-flowering catchfly (*Silene Noctiflora*, L.), curled dock
5 (*Rumex crispus*, L.), smooth dock (*Rumex altissimus*, Wood), sheep sorrel
6 (*Rumex Acetosella*, L.), yellow trefoil (*Medicago lupulina*, L.), sweet clover
7 (*Melilotus alba*, Desr., and *M. officinalis*, L.), black mustard (*Brassica nigra*, L.
8 Koch), plantain, buckhorn (*Plantago lanceolata*, L.), bracted plantain (*Plantago*
9 *aristata*, Michx.), blind weed (*Convulvulus sepium*, L.), smooth crab grass (*Dig-*
10 *itaria humifusa*, Pers.), common chickweed (*Stellaria media*, L. Cyrill). When
11 such impurities or any of them are present in quantity exceeding in their com-
12 bined weight a total of two per cent of the weight of said agricultural seed, the
13 approximate percentage of each shall be plainly indicated in the statement re-
14 quired by section two of this Act.

Sec. 7. Sand, dirt, chaff and foreign substances and seeds other than those
2 specified in section eight and section nine, or broken seed and seed not capable
3 of germinating, shall be considered impurities when present in agricultural seeds.
4 When such impurities or any of them are present in quantity exceeding the
5 standards of purity and viability authorized in section eleven of this Act, the
6 name and approximate percentage of each shall be plainly indicated in the
7 statement specified in section two.

Sec. 8. For the purposes of this Act, seeds shall be deemed to be mixed
2 or adulterated:

3 First: When orchard grass (*Dactylis glomerata*, L.), seed containing ten
4 per cent or more of meadow fescue (*Festuca elatior*, L.) seed or Italian rye grass
5 seed (*Lolium Italicum*, A. Br.) or English rye grass (*Lolium perenne*, L.) seed.

6 Second: When red clover (*Trifolium Pratense*, L.), mammoth red clover
 7 (*Trifolium Pratense*, var.) or alfalfa (*Medicago sativa*, L.) contain five per cent
 8 or more by weight of yellow trefoil (*Medicago lupulina*, L.) or sweet clover
 9 (*Melilotus alba*, Desr., or *M. officinalis*, L. Lam.) seed, or,

10 Third: When Kentucky blue grass or bluegrass (*poa pratensis*, L.) seed
 11 contain five percent or more by weight of Canada blue grass (*poa compressa*,
 12 L.) seed, redtop (*Agrostis alba*, L.) seed, redtop chaff or any other seed or for-
 13 eign substance.

14 Fourth: When rape (*Brassica napus*, L.) contains five per cent or more of
 15 common mustard (*Brassica sinapistrum*, Boiss) or black mustard (*B. nigra*, L.
 16 Koch).

Sec. 9. MISBRANDED SEED.] For the purposes of this Act, seeds shall be
 2 deemed misbranded when meadow fescue (*Festuca elatior*, L.), English rye grass
 3 (*Lolium perenne*, L.), or Italian rye grass (*Lolium Italicum*, A. Br.), is labeled
 4 or sold under the name of orchard grass (*Dactylis glomerata*, L.) seed.

5 Second: When Canadian blue grass (*Poa compressa*, L.) seed, redtop
 6 (*Agrostis alba*, L.) seed or any other seed not blue grass seed is sold under the
 7 name of Kentucky blue grass or blue grass (*Poa pratensis*, L.) seed.

8 Third: When yellow trefoil (*Medicago lupulina*, L.), burr clover (*Medicago*
 9 *hispida*, Gaertn.) or sweet clover (*Meliltus alba*, Desr.) is sold under the name
 10 of clover, June clover, red clover (*Trifolium pratense*, L.), medium red clover,
 11 small red clover, mammoth red clover, sapling clover, peavine clover (*T. pra-*
 12 *tense*, L., var.) or alfalfa (*Medicago sativa*, L.) seed.

13 Fourth: When the seed are not true to the name under which they are sold.

Sec. 10. Provisions concerning agricultural seeds contained in this Act shall
 2 not apply to:

3 First: Any person or persons growing or selling seed for food purposes
 4 only, or having such seed in possession for sale for such purposes.

5 Second: Any person selling direct to merchants, to be cleaned or graded

6 before being offered for sale for the purpose of seeding. This shall not, how-
 7 ever, exempt the seller from the restrictions of section four of this Act.

8 Third: Seed that is held in storage for the purpose of being recleaned
 9 and which has not been offered or exposed or held in possession for sale for the
 10 purpose of seeding.

11 Fourth: Seed marked "Not absolutely clean" and held or sold for export
 12 outside of the State only.

13 Fifth: The sale of seed that is grown, sold and delivered for any farmer on
 14 his own premises for seeding by the purchaser himself, unless the purchaser of
 15 said seed obtains from the seller at the time of the sale thereof a certificate that
 16 the seed is supplied to the purchaser subject to the provisions of this Act.

17 Sixth: Mixtures of seeds for lawn-grass purposes, but this shall not ex-
 18 empt the seller of such mixtures of seeds from the restrictions of sections four
 19 and seven of this Act.

Sec. 11. STANDARDS OF PURITY.] The following standards of purity, mean-
 2 ing freedom from weed seeds and other foreign seeds, and viability, are hereby
 3 fixed:

NAME OF SEED.	Per cent of Purity.	Per cent of Viable Seed.
4 Alfalfa	96	80
5 Barley	98	90
6 Blue grass, Canada.....	90	45
7 Blue grass, Kentucky.....	80	45
8 Brome, awnless.....	90	75
9 Clover, alsike	96	75
10 Buckwheat	96	90
11 Clover, crimson	98	85
12 Clover, red	92	80
13 Clover, white	90	75
14 Corn, field	99	94

14½	Corn, sweet	99	75
15	Fescue, meadow	95	85
16	Flax	96	89
17	Millet, pearl	99	65
18	Millet, common	90	85
19	Millet, hog	90	85
20	Oats	98	90
21	Oat grass, tall	72	70
22	Orchard grass	70	70
23	Rape	99	90
24	Redtop	90	70
25	Rye	98	90
26	Rye grass, perennial.....	96	90
27	Rye grass, Italian	95	80
28	Sorghum	96	80
29	Sorghum for fodder.....	90	60
30	Timothy	96	85
31	Wheat	98	90

Sec. 12. The execution and enforcement of this Act is hereby committed to
 2 the State Board of Agriculture, who are authorized to appoint inspectors and
 3 make regulations for that purpose, which regulations shall have the force of law
 4 as provided for the execution of the laws relating to quarantine inspection, pure
 5 food, crop pests, stock feeds and other matters committed to the direction of
 6 the board. Any violation of any such regulation shall be a misdemeanor, pun-
 7 ishable upon conviction by fine or imprisonment, in the discretion of the court.

Sec. 13. Any person selling or exposing for sale any of the seeds specified
 2 in sections eight and nine of this Act which are mixed, adulterated or misbranded,
 3 or any agricultural seeds which do not comply with sections five, six and seven,
 4 and any person who shall prevent or attempt to prevent any inspector or other
 5 who shall prevent or attempt to prevent any inspector or other employee or

6 agent of the State Board of Agriculture in the discharge of his duties or vio-
7 late any of the provisions of this Act shall be guilty of a misdemeanor, and
8 upon conviction shall be fined not more than one hundred dollars or imprisoned
9 at the discretion of the court: *Provided*, that no one shall be convicted of vio-
10 lation under the provisions of section five if he shall prove that the weed seeds
11 named therein are present in quantities of not more than one in ten thousand
12 and that due diligence has been used to find and remove said seed.

Sec. 14. All seedsmen and others who sell farm or garden seeds to be used
2 in producing crops for sale or for family use shall be bound as guarantors that
3 such seeds are true to kind and name, as represented at the time of sale,
4 whether said seeds were raised by the seller or by another; and if such seeds are
5 sold by an agent, the principal shall be bound by the representations of said
6 agent in regard to the kind and name of the seed so sold. If any paper or
7 package containing seed sold in this State for planting or seeding has printed
8 or written thereon the name, kind or quality of the seeds therein, the seller
9 shall be bound in the courts of this State by the same written or printed state-
10 ment, unless it be affirmatively proven that there was some other agreement
11 between the parties in respect thereto.

Sec. 15. All citizens of the State may send to the State Board of Agriculture
2 samples of seeds they have purchased or may wish to have examined with a
3 view of purchasing, for examination and analysis. The State Board of Agricul-
4 ture shall have examination and analysis made according to the provisions of
5 this Act and send copy of such analysis to the party sending the seed.

Sec. 16. Persons or firms desiring to sell or offer for sale seeds in this
2 State shall have like privileges as to their goods upon payment of a fee of fifty
3 cents for each sample.

Sec. 17. Every person, firm or corporation selling or offering for sale in or
2 for export from this State any seed as mentioned in this Act shall register with
3 the State Board of Agriculture the name of the person, firm or corporation of-

4 fering the seed for sale, and shall pay a license tax annually of twenty-five dol-
5 lars, the same to be paid in January, one thousand nine hundred and fifteen, and
6 annually thereafter. The secretary's receipt for such money shall be license to
7 conduct the business, and the agents or sellers of said person, firm or corpora-
8 tion paying such tax shall not be required to pay any further tax under this
9 Act.

Sec. 18. The State Board of Agriculture shall pay all moneys received
2 from such licenses, together with all fees as prescribed in section sixteen of this
3 Act, into the treasury of the State.

Sec. 19. Any person, firm or corporation selling or attempting to sell seed
2 in this State without procuring the prescribed license or any person, firm or
3 corporation violating any other provision of this Act shall be fined or impris-
4 oned, in the discretion of the court, not to exceed one hundred (100) dollars.

Sec. 20. This law shall be in force from and after July first, one thousand
2 nine hundred and fifteen.



- 1 Introduced by Mr. Leech, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the preservation of community cemeteries.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That there be and is hereby created a
department of this State to be known as the Cemetery Trust Department, the
same to be under the control of the State Treasurer, whose duty it shall be to
receive all funds deposited with him as hereinafter provided, in sums of not less
than five hundred (\$500.00) dollars, and credited by him to the cemetery asso-
ciation so depositing the same; that said fund or funds so deposited shall be for
the perpetual use of the State of Illinois, and a certificate to that effect shall be
issued by the State Treasurer to the cemetery association so depositing said
funds; that said certificate shall provide and so state that said fund is re-
ceived in perpetual trust by the State of Illinois and shall further provide and
so state that the State shall pay interest on said fund at the rate of four per
cent per annum, payable on the first day of July in each year from and after
the date of said certificate to the cemetery association depositing the same:

15 *Provided*, in case said fund is so deposited and certificate issued between the
16 first day of January and the first day of July in any year, then, in that case,
17 the first installment of interest shall not mature and become payable until
18 one year next after the first day of July immediately succeeding the date of
19 such certificate.

Sec. 2. All cemetery associations now existing, and which may hereafter
2 be organized by virtue of this Act, to which no existing law of this State may
3 apply, and which may desire to avail themselves of the benefits of this Act,
4 may so avail themselves in the following manner:

5 The cemetery associations now existing and having a board of trustees shall
6 under the hands and seals of their respective trustees, file with the county clerk
7 of the respective counties in which they exist, a certificate of such organiza-
8 tion; and cemetery associations hereinafter organized hereunder shall so cer-
9 tify their such organizations.

Sec. 3. The membership of each such association now organized or here-
2 after organized hereunder shall consist exclusively of those adult male and
3 female residents of the county in which said cemetery is located, any of whose
4 dead may be interred in said cemetery, and hereafter any adult persons whose
5 dead may be buried in said cemetery shall thereupon become members of said
6 association, and all others who may contribute to the fund of said associa-
7 tion so loaned to the State of Illinois as aforesaid, shall be deemed members of
8 said association and entitled to all the rights and privileges thereof.

Sec. 4. After such association shall have been so formed, and so certified,
2 the board of trustees hereinafter provided for shall have the power if they see
3 fit so to do, to limit the franchise at the annual election of trustees to those who
4 have contributed to the fund aforesaid, and to one adult member, male or
5 female, of each family, whose dead relative or relatives are interred in such
6 cemetery.

Sec. 5. That on the first Wednesday after the first Monday in September

2 in the year 1915, at the hour of one o'clock in the afternoon of said day, the
3 members of such associations as now exist shall meet at some convenient place
4 in the neighborhood of their respective cemeteries and elect three trustees,
5 one of whom shall be an adult female, one for one year, one for two years, and
6 one for three years, from said date, and annually thereafter on the same day
7 of the same month shall likewise meet and elect one of their number as trustee
8 to serve for three years, each female trustee to be succeeded by a female member,
9 and within five days after each said election shall certify, in the manner herein
10 provided, the result of said election to the county clerk of their respective coun-
11 ties; and all existing associations refusing, neglecting or failing to hold the
12 election first in this section provided will be deemed to have waived all the
13 benefits of this Act and each such cemetery association shall adopt a specific
14 name or title by which it may be known and designated.

15 All new organizations desiring to avail themselves of the benefits of this
16 Act may at any time hereafter do so by holding their elections and certifying
17 the results at the time and times as herein provided.

Sec. 6. The interest provided for in section one of this Act shall be paid

2 by the State Treasurer to the treasurers of the respective counties in which said
3 cemeteries exist, and it is hereby made the duty of said county treasurer to
4 provide and keep a separate book in which he shall open an account with each
5 cemetery association so certified to the clerk of the county court as aforesaid,
6 and shall pay out the same only upon the order of the board of trustees of
7 said cemetery, or some two of them, and said trustees shall return to said coun-
8 ty treasurer annually, vouchers showing to whom such funds were paid and for
9 what purpose expended.

Sec. 7. It shall be, and is hereby made the duty of such trustees to expend

2 all such funds as shall be necessary, and so far as the amount of such funds may
3 be sufficient to accomplish the purpose, in keeping such cemetery in proper re-

4 pair and in beautifying the same, giving the same care to the graves of the
5 poor, and to the unknown dead, and to the dead of non-residents as may be
6 given to any others.

Sec. 8. Such trustees shall serve and perform their duties without com-
2 pensation, and in case they shall fail, refuse or neglect to perform their duties,
3 after request of any member of the association, such member of said associa-
4 tion may present his petition in writing properly verified to the judge of the
5 county court of the county where such association exists, either in term time or
6 vacation, setting forth his complaint and asking that said trustees be cited be-
7 fore said judge and answer the charges in said petition, whereupon said judge
8 shall so cite said trustees and hear such charges, in a summary manner, and if
9 he shall determine the same to be well founded, shall order said trustees, pro-
10 vided there be sufficient funds available, to at once proceed to perform their
11 duties as in this Act designated, and upon their neglect, failure, or refusal
12 to obey the order of said judge, he shall have the power and it is hereby made
13 his duty to hold said trustees in contempt of court and punish them accord-
14 ingly.

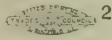
Sec. 9. Each such cemetery association is hereby empowered to at any
2 time it sees fit increase its fund and credit with the State, by paying into the
3 State treasury as aforesaid any amount of money in addition to its original
4 payment, and receive a like certificate therefor.

Sec. 10. The State Treasurer shall bi-ennially certify to the speaker of the
2 House of Representatives of the General Assembly of the State the amount
3 necessary to be appropriated for the purposes of this Act, and the General
4 Assembly shall from time to time as necessity requires, appropriate the neces-
5 sary funds to make the annual payments of interest to meet the indebtedness of
6 the State upon said trust funds.

Sec. 11. The bond of each such county treasurer shall hereafter be deemed
2 and held to be the same protection to those interested in the funds herein pro-

3 vided to be paid to him by the State Treasurer on account of said cemetery trust
4 fund as in any other fund or funds which may come to his hands from taxation
5 or otherwise.

Sec. 12. All Acts and parts of Acts inconsistent with any of the provis-
2 ions of this Act are hereby repealed.



- 1 Introduced by Mr. Boyer, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910; as amended by an Act approved and in force March 30, 1912; as amended by an Act approved May 27, 1912, in force July 1, 1912; and as amended by an Act approved June 30, 1913, in force July 1, 1913, by amending section nine (9) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910; as amended by an Act approved and in force March 30, 1912; as amended by an Act approved May 27, 1912, in force July 1, 1912; and as amended by an Act approved June 30, 1913, in force July 1, 1913, be and the same is hereby amended by amending section nine (9) thereof, so that said section when amended shall read as follows:

9 Sec. 9. (1) The State central committee shall be composed of one member from each congressional district in the State and shall be elected as follows:

12 At the September primary held in the year A. D. 1910, and at the April pri-
 13 mary held every two years thereafter, each primary elector may vote for one
 14 candidate of his party for member of the State central committee for the con-
 15 gressional district in which he resides. The State central committee of each po-
 16 litical party shall be composed of members elected from the several congressional
 17 districts of the State, as herein provided, and of no other person or persons
 18 whomsoever. The members of the State central committee shall, within thirty
 19 days after their election, meet in the city of Springfield and organize by elect-
 20 ing from among their own number a chairman, and may at such time elect such
 21 officers from among their own number or otherwise as they may deem necessary or
 22 expedient. The outgoing chairman of the State central committee of the party
 23 shall, ten days before the meeting, notify each member of the State central com-
 24 mittee elected at the primary of the time and place of such meeting.

25 (2) At the September primary held in September, A. D. 1910, and at the
 26 April primary held every *four* years thereafter, each primary elector may
 27 write or attach in the space left on the primary ballot for that purpose the
 28 name of one qualified elector of his party in the precinct or ward, as the case
 29 may be, for member of his political party precinct *or ward* committee. The one
 30 having the highest number of votes shall be such committeeman of such party
 31 for such precinct or ward. In case of a tie the primary judges shall cast lots.
 32 The official returns of the primary judges shall show the name and address of
 33 the committeemen of each political party in the county: *Provided, however,*
 34 the provisions of this sub-section two (2) of section nine (9) shall not apply to
 35 precincts within the territorial limits of an incorporated city or village having a
 36 population of two hundred thousand or over.

37 (3) The county central committee of each political party shall consist of
 38 the members of various precinct committees and ward committees, if any, of
 39 such party in the county. In the organization and proceedings of the county
 40 central committee each precinct committeeman shall have one vote and one ad-
 41 ditional vote for each fifty votes or major fraction thereof of his party cast in

his precinct for Governor at the last general election; and each ward committee-man shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

(4) The congressional committee of each political party shall be composed of the chairman of the county central committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county, or wholly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose the congressional committee: *Provided, however,* that in congressional districts wholly within the territorial limits of an incorporated city or village having a population of two hundred thousand or over, or partly within the limits of such city or village and partly without the limits of such city or village, then the members of the precinct and ward committees of the party of the precincts and wards within the limits of the congressional district shall compose the congressional committee.

In the organization and proceedings of congressional committees, composed in whole or in part of precinct committeemen, each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election, and in the organization and proceedings of congressional committees, composed in whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward, and one additional vote for each fifty votes or major fraction thereof of his party as cast in each precinct of his ward located in such congressional district for Governor at the last general election.

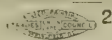
(5) The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand

72 or over, then the city central committee shall be composed of the ward commit-
73 teemen residing within the territorial limits of such city or village, which said
74 ward committeemen shall be elected at large in their respective wards and shall
75 hold their positions as such committeemen for four (4) years.

76 The word "ward" in this section shall be construed to mean a division for
77 which aldermen are elected in such last mentioned cities or villages.

78 (6) Each committee and its officers shall have the powers usually exer-
79 cised by such committees and by the officers thereof, not inconsistent with the
80 provisions of this Act. The several committees herein provided for shall not
81 have power to delegate any of their powers or functions to any other person,
82 officer or committee, but this shall not be construed to prevent a committee from
83 appointing from its own membership proper and necessary sub-committees, and
84 particularly defining, by resolution, the duties of such sub-committees.

85 (7) The various political party committees now in existence are hereby
86 recognized and shall exercise the powers and perform the duties herein pre-
87 scribed until committeemen are chosen, in accordance with the provisions of this
88 Act.



- 1 Introduced by Mr. Morrasy, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as subsequently amended by amending section eight (8) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That an Act entitled, "An Act concern-
3 ing local improvements," approved June 14, 1897, in force July 1, 1897, as sub-
4 sequently amended, be and the same is hereby amended by amending section
5 eight (8) thereof, so that the said section eight when amended shall read as
6 follows:

Sec. 8. At the time and place fixed in said notice for the public hearing,

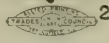
2 the said board shall meet and hear the representations of any person desiring
3 to be heard on the subject of the necessity for the proposed improvement, the
4 nature thereof, or the cost as estimated. In case any person shall appear to
5 object to the proposed improvement or any of the elements thereof said board
6 shall adopt a new resolution abandoning the said proposed scheme or adhering
7 thereto, or changing, altering or modifying the extent, nature, kind, character

8 and estimated cost: *Provided*, such change shall not increase the estimated cost
9 of the improvement to exceed twenty (20) per centum of the same without a
10 further public hearing thereon, as it shall consider most desirable; and there-
11 upon, if the said proposed improvement be not abandoned, the said board shall
12 cause an ordinance to be prepared therefor, to be submitted to the council or
13 board of trustees (as the case may be). Such ordinance shall prescribe the na-
14 ture, character, locality and description of such improvement and shall provide
15 whether the same shall be made wholly or in part by special assessment or spe-
16 cial taxation of contiguous property; and, if in part only, shall so state.

17 If property is to be taken or damaged for said improvement, such ordi-
18 nance shall describe the same with reasonable certainty.

19 In cities of 20,000 inhabitants or over when a remonstrance petition is filed
20 by the owners of a majority of the frontage on the line of the proposed im-
21 provement with the board of local improvements within thirty (30) days after
22 the public hearing thereon, said board shall thereupon stay all proceedings
23 therein for one year from said date, *and no further proceedings shall be had*
24 *except upon a new hearing and the adoption of a new resolution by the board.*

25 The remonstrance above referred to, to be filed with the board shall contain
26 the signatures of the owners or legal representatives, the description of the prop-
27 erty owned or represented, the number of feet so owned or represented and
28 shall be verified by affidavit of one or more property owners fronting on the
29 line of the proposed improvement, setting forth that the party making the affi-
30 davit is a property owner, fronting on the proposed improvement, and that the
31 parties who signed the same are the owners or legal representatives of the
32 property described therein.

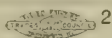


- 1 Introduced by Mr. Morrasy, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act providing for the forfeiture of franchises of drainage districts for non-user and to enable drainage districts subsequently organized in the same territory to proceed with their work.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever any drainage district,
3 heretofore or hereafter organized under any drainage law of this State, shall
4 include within its territory all or the greater part of the territory of any other
5 drainage district heretofore or hereafter organized under the provisions of the
6 same or any other drainage law of this State and which former district shall
7 not have exercised its corporate functions and maintained its system of drain-
8 age for a period of at least ten consecutive years immediately prior to the or-
9 ganization of the new district, the organization of such new district, either be-
10 fore or after the passage of this Act, shall be held from the date of its organiza-
11 tion to have worked an ouster of such former district for non-user of its fran-
12 chise and such new district shall proceed with its work as though no other
13 drainage district had previously existed in the territory affected.



1 Introduced by Mr. Burns, April 1, 1915.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act in relation to official reports.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* BIENNIAL REPORTS — FINANCIAL STATE-

3 MENTS.] That all elective officers of the executive department, ex-

4 cepting the Governor, all other executive officers, and all boards, com-

4½ missions, institutions and departments of the State government shall, before

5 each regular session of the General Assembly, severally report all their acts and

6 doings relating to the condition and management of their respective offices,

7 boards, commissions, institutions and departments and a summary thereof, with

8 recommendations for such changes in the laws as may be deemed necessary.

9 Such reports from all officers, boards, institutions and departments of the State

10 government which are subordinate to or are required to report to some officer

11 other than the Governor shall be prepared and submitted to the proper officer

12 on or before the first day of November preceding the regular session of the

13 General Assembly and such reports from all the principal executive officers and

14 departments (including a summary of the reports from subordinate officers)

15 shall be prepared and submitted to the Governor on or before the first day of

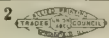
16 December preceding the regular session of the General Assembly. Each of such
 17 reports shall also contain a financial statement for the biennial period ending
 18 with the last day of the fiscal year next preceding the making of the report, and
 19 for each fiscal year in such period. Such financial statement shall show the
 20 amount of funds on hand at the beginning of the biennial period covered by the
 21 report, the amount of public funds received and from what sources received, and
 22 the amounts of and time when such funds, if any, were paid into the State treas-
 23 ury, or otherwise disbursed, and the amount on hand at the end of said period;
 24 also the amount of public funds appropriated and available for expenditure on
 25 the first day of the period covered by the report, the amount of such funds, if
 26 any, which may thereafter have become available for expenditure, the amount of
 27 the vouchers drawn against the available appropriations during the period cov-
 28 ered by the financial statement and for what purposes drawn, and the amount
 29 unexpended at the end of said period; and in addition thereto an estimate of the
 30 revenues and expenditures for the current fiscal year, and an estimate of the rev-
 31 enues and a statement of appropriations requested from the General Assembly
 32 for the succeeding biennial period.

Sec. 2. BLUE BOOK.] The Superintendent of Printing shall have prepared
 2 a summary of the biennial reports of the State officers, boards, commissions, in-
 3 stitutions and departments, with a list of the members of the General As-
 4 sembly, and the officers of the legislative, executive and judicial departments of
 5 the State government, and a summary of election statistics, and other informa-
 6 tion concerning the State government. This shall be carefully edited and pub-
 7 lished as the State Manual of Blue Book as soon as possible after the beginning
 8 of the regular session of the General Assembly.

Sec. 3. SEMI-ANNUAL FINANCIAL REPORTS.] An account shall be kept by the
 2 officers of the executive department and of all the public institutions of the State,
 3 of all moneys received or disbursed by them, severally, from all sources and for
 4 every service performed and a semi-annual report thereof shall be made to the
 5 Governor under oath, at such times as the Governor may require.

Sec. 4. OTHER REPORTS.] The Governor may also require annual reports,
2 and may further, at any time, require other and additional reports and inform-
3 ation from any officer, board, commission, institution or department upon any
4 subject relating to the condition, management and financial transactions of their
5 respective offices. No other annual or biennial report shall be made by any of-
6 ficer, board, commission, institution or department of the State government, ex-
7 cept as provided in this Act.

Sec. 5. REPEAL.] An Act entitled, "An Act to change the fiscal year of the
2 State and designate the time reports shall be made to the Governor by the
3 Secretary of State, Auditor of Public Accounts, State Treasurer, Adjutant-Gen-
4 eral, State Entomologist, commissioners of the penitentiaries, trustees of the in-
5 dustrial university, the trustees of the normal university, the State Board of
6 Agriculture, the trustees of the reform school, the Board of Public Charities,
7 and the trustees of the State charitable institutions," approved March 29,
8 1875, in force July 1, 1875, be, and the same is hereby repealed.



1 Adopted May 24, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 598, in line 1, section 2, on page 2, by striking out
2 the words "Superintendent of Printing" and inserting in lieu thereof the words
3 "Secretary of State".

AMENDMENT NO. 2.

Amend House Bill No. 598 by inserting on page 3, new section to be known
2 as section No. 5, which new section shall read as follows:

3 "Sec. 5. All reports which are required to be made to the General Assembly
4 or to the Governor, and which may be ordered printed, shall, when printed, be
5 of uniform size and style of paper, printing and binding, and the reports, exclu-
6 sive of covers, if bound in cloth, shall be six (6) inches wide and nine (9)
7 inches long, as nearly as may be.

8 Reports which may be ordered printed, and which may be bound in paper
9 covers, shall be of uniform size and style of paper, printing and binding, and
10 shall be six (6) inches wide, and nine (9) inches long, as nearly as may be."



- 1 Introduced by Mr. Burns, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Efficiency and Economy.

A BILL

For an Act to revise the law in relation to State contracts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* SCOPE OF ACT.] That the stationery,
3 and printing paper furnished for the use of the State; the copying, printing,
4 binding, and distributing the laws and journals, and all other printing ordered
5 by the General Assembly shall be let by contract to the lowest responsible bidder
6 in the manner hereinafter provided.

7 The term printing, as used in this Act, shall, in addition to its common
8 signification, mean and include maps, charts, illustrations, engravings, lithograph-
9 ing, steel and copper plate printing, electrotyping, and half-tone, zinc, wood, or
10 other process work. The term stationery, as used in this Act, shall, in addi-
11 tion to its common signification, mean and include stenographic and typewriter
12 supplies.

Sec. 2. SUPERINTENDENT OF PRINTING.] The Governor shall nominate and, by and with the advice and consent of the Senate, appoint a Superintendent of Printing, who must be a practical printer and who has had experience in estimating book and job work and who must possess a good general knowledge of paper in its various grades and of book binding, to take charge of all printing and binding for the State and to purchase and distribute stationery required for the use of the State. If the Senate is not in session when this Act takes effect the Governor shall make a temporary appointment as in the case of a vacancy.

The Superintendent of Printing first appointed shall hold office until January 15, 1917, and until his successor is appointed and qualified. On or before January 15, 1917, and every four years thereafter the Governor shall nominate and, by and with the advice and consent of the Senate, appoint a Superintendent of Printing to serve for a term of four (4) years from and after the expiration of the term of his predecessor and until his successor is appointed and qualified. In case of a vacancy during the recess of the Senate the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office for the unexpired portion of the term.

The Superintendent of Printing shall receive a salary of four thousand dollars (\$4,000) per annum, payable in equal monthly installments.

Before entering upon the duties of his office he shall enter into a bond, payable to the People of the State of Illinois, in such amount, not less than \$10,000, as may be fixed by the Governor, conditioned for the faithful performance of the duties of his office, which bond shall be approved by the Attorney-General as to its form and by the Governor as to the sufficiency of its sureties, and the same shall be filed in the office of the Secretary of State.

Attached to said bond shall be the oath of office prescribed by the constitution for State officers.

Sec. 3. GENERAL POWERS AND DUTIES.] The Superintendent of Printing

2 shall be responsible for the administration of the affairs of his office and shall
3 see that all the provisions of this Act are strictly enforced. He shall have
4 supervision over the officers and employees of his office and shall see that they
5 perform their duties faithfully and efficiently. He shall prescribe and define
6 the duties of all officers and employees in his office in so far as such duties are
7 not prescribed and defined by this Act, and shall see that such officers and em-
8 ployees perform their respective duties. He shall make biennial reports to the
9 Governor setting forth the cost of public printing, binding, and stationery and
10 shall, in his report, recommend retrenchments.

Sec. 4. COLLUSION, PENALTY.] If the Superintendent of Printing shall, by

2 himself or through others, corruptly collude or have any secret understand-
3 ing with any person to defraud the State of Illinois, or whereby the State of
4 Illinois shall be made to sustain a loss, he shall, on conviction thereof before
5 any court of competent jurisdiction, forfeit his office and be imprisoned in the
6 penitentiary for a term of not less than one (1) or more than five (5) years,
7 and fined in a sum not exceeding three thousand dollars (\$3,000) and the sure-
8 ties upon his official bond shall be held and bound for the amount of any fine
9 which may be assessed and fixed under the provisions of this section.

ADVERTISEMENTS AND CONTRACTS.

Sec. 5. ADVERTISEMENTS FOR BIDS.] (a) Between the first Monday in July

2 and the first Monday in August, A. D. 1916, the Superintendent of Printing
3 shall, as to the public printing which must be performed at the city of Spring-
4 field, advertise in Springfield in one of the daily papers published in that city;
5 and shall, as to other public printing and as to contracts for doing the public
6 binding of the State and the copying of the laws, journals, reports, and other
7 public documents of the State, and for the distribution thereof, advertise in
8 one or more of the daily papers published in each of six cities of the State
9 having a population in excess of twenty thousand, as shown by the Federal cen-

10 sus then next preceding, and located in different parts of the State, for proposals
11 to do the public printing of the State (except that which must be done at the
12 city of Springfield) to do the public binding of the State, to do the copying of
13 the laws, journals, reports, and other public documents of the State, and for
14 the distribution of the same, from the first day of October, A. D. 1916, to and
15 including the thirtieth day of June, A. D. 1917.

16 (b) Between the first Monday of May, A. D. 1917, and the first Monday of
17 June, A. D. 1917, and between those dates every two years thereafter, the Super-
18 intendent of Printing shall advertise, in the manner provided in paragraph (a)
19 of this section, for doing the work specified in said paragraph (a) for the bien-
20 nial period next succeeding commencing on the first day of July of the year in
21 which such contract is let to and including the thirtieth day of June of the
22 second succeeding year, except as otherwise provided therein.

23 (c) He shall, from time to time as contracts are to be let therefor, adver-
24 tise at Springfield and Chicago in some one of the daily newspapers published
25 in each of such cities for proposals to furnish printing paper, cover paper and
26 other paper and envelopes, and stationery for the State, and to do the lithograph-
27 ing, engraving, electrotyping, plate printing, and other like printing for the State.

28 (d) The Superintendent of Printing shall also, within the dates when ad-
29 vertisements are being published in newspapers, mail to such persons within
30 the State of Illinois as he may reasonably believe may be prospective bidders
31 for any class or sub-class of work to be performed or articles to be furnished
32 copies of such advertisement, and shall make and preserve a record of the names
33 and addresses of the persons to whom such copies are mailed.

34 (e) Each of such advertisements for proposals shall be published ten days
35 from and including the date of its first publication and shall give notice that
36 sealed proposals for furnishing the articles or performing the work required dur-
37 ing the contract period mentioned in the advertisement will be received at the
38 office of the Superintendent of Printing on or before a date specified in such
39 notice. The advertisement shall also set forth specifically, or by way of refer-
40 ence to specifications, what will be required of bidders under this Act, the

41 amount of the certified check to be deposited with the respective bid, and such
42 other particulars as the Superintendent of Printing may deem proper. Any
43 advertisement may embrace propositions for all or a part of the materials to
44 be furnished or work to be done, but shall solicit separate bids for each class or
45 sub-class of articles to be furnished or work to be done, and each of such class
46 or sub-class shall be let in a separate contract.

Sec. 6. Bids.] Every bid for doing work or furnishing materials shall be
2 in writing, enclosed in a sealed envelope having endorsed thereon—"Proposal of
3, whose address is.....,
4 for,," filling in the blanks
5 with the name and address of the bidder and the designation of the work or ma-
6 terials for which the bid is made, and shall be filed in the office of the Super-
7 intendent of Printing on or before the day specified in the advertisement for re-
8 ceiving bids. Each bid for doing work or furnishing materials shall be accom-
9 panied by a certified check payable to the order of the Superintendent of
10 Printing in an amount to be fixed by the Superintendent of Printing with the
11 approval of the Governor, but not to exceed \$1,000, and shall also be accompanied
12 by a provisional agreement, under seal, executed by the bidder to the effect that
13 if such bid be accepted and if he shall fail to execute a contract and execute a
14 bond within the time and conditioned as required by law, then, and in either
15 such case, the amount of such certified check shall become absolutely the prop-
16 erty of the State of Illinois and may be retained by the State as and for liqui-
17 dated damages.

Sec. 7. OPENING OF BIDS AND AWARD OF CONTRACTS.] At the time designated
2 in the advertisement for opening bids the Superintendent of Printing shall, in
3 the presence of the Governor, open and publicly read the bids for doing work
4 or furnishing materials. The Superintendent of Printing and the Governor shall
5 thereupon fix a time, which shall not be more than ten days thereafter, when con-
6 tracts for doing work or furnishing materials to the State will be publicly award-

ed, or such contracts may be publicly awarded on the same day that bids are opened and publicly read.

At the time fixed for publicly awarding the contract for each class of work to be done or materials to be furnished the Superintendent of Printing shall, in the presence of the Governor, publicly award the contract for each class or sub-class of work to be done or materials to be furnished to the lowest responsible bidder, taking bond from him in an amount to be fixed by the Superintendent of Printing and the Governor, but not to exceed \$10,000, conditioned for the faithful performance of the contract. Nothing in this Act shall be construed so as to prevent the same person from bidding for more than one class or sub-class of work to be done or articles to be furnished.

If two or more persons bid the same price for either class or sub-class of work to be done or articles to be furnished, and such price is lowest for that class or sub-class or for such articles, the Superintendent of Printing shall award the contract to such one of such bidders as he shall decide publicly by lot to award it to.

All contracts shall be subject to the approval of the Governor, and if he disapproves the same there shall be a re-letting of the contract.

The Superintendent of Printing, with the consent of the Governor, may reject any and all bids.

Sec. 8. MAKING OF CONTRACTS.] Within ten days after the acceptance of any bid for doing work or furnishing of material the Superintendent of Printing shall cause a contract to be prepared and entered into by himself, as representing the State of Illinois, with the approval thereon in writing of the Governor, and such bidder, setting forth fully the terms and conditions under which the work specified is to be performed or the articles furnished. Such bidder shall at the time execute a bond in a penal sum to be fixed by the Superintendent of Printing, with the approval of the Governor, (but not to exceed \$10,000), payable to the People of the State of Illinois, with not less than two sureties who shall be responsible free holders of this State, and who shall justify

11 under oath that they are each worth over and above all debts and property ex-
12 empt from execution an amount equal to the amount named as a penalty in such
13 bond, conditioned for the faithful performance of all duties required of him by
14 law and by the terms and conditions of his contract. Such bond shall be ap-
15 proved by the Superintendent of Printing and the Governor and it, together with
16 the contract and all other papers relating thereto, shall be deposited in the office
17 of the Secretary of State.

Sec. 9. RETURN OF CERTIFIED CHECKS, ETC.] If for any reason a bid shall
2 be rejected the certified check and the provisional agreement deposited by such
3 bidder shall be returned to him without unnecessary delay. The certified
4 check and the provisional agreement of each successful bidder shall be retained
5 until such bidder has entered into a contract and furnished the bond required of
6 him, when such certified check and provisional agreement shall be returned; but
7 if such successful bidder should fail to enter into a contract and furnish the
8 bond required of him within the time required by this act, then and in either case,
9 the Superintendent of Printing shall collect the amount of such certified check
10 and cover the same into the State Treasury.

Sec. 10. READVERTISEMENT, BIDS, AND CONTRACTS.] If for any reason any
2 contract for doing work or furnishing material shall not be let at the time con-
3 templated by this Act, and whenever on account of any such contract being can-
4 celled, or for other cause, any contract is required to be let at any other time, the
5 Superintendent of Printing shall fix the time when he will receive bids therefor
6 and shall solicit and receive such bids and make awards, as nearly as may be,
7 in the same manner and upon the same terms as hereinbefore provided. The re-
8 advertisement for such bids may be for a time not exceeding five days, and the
9 award shall be made by the Superintendent of Printing, with the approval of the
10 Governor, at the time fixed in such re-advertisement or at such subsequent time
11 as the Superintendent of Printing and the Governor may, on the day such bids
12 are opened, publicly fix, which day shall not be more than ten days from the day
13 such bids are opened.

Sec. 11. CANCELLING CONTRACTS.] If any contractor shall refuse or fail, in whole or in part, to fulfill his contract the Superintendent of Printing may cancel such contract and, having done so, shall notify the contractor in writing, specifying his reason for so doing. He shall also notify the Attorney General in writing of such refusal or failure, and it shall be the duty of the Attorney General to bring suit on the bond of such contractor and prosecute the same to final judgment and execution. The Superintendent of Printing is hereby given full power and authority, with the approval of the Governor, to suspend, declare void, or cancel any State contract entered into by him whenever he is of the opinion that such contract was obtained by fraud, conspiracy, or any other unlawful means, and whenever any such contract is so held to be void, suspended, or cancelled, or any investigation thereof is being had by the General Assembly or either House thereof, then and in such case the Superintendent of Printing is hereby given power and authority, with the approval of the Governor, to enter into and carry out any new contract or contracts for the unexpired portion of the two-year period in such manner as he may deem for the best interests of the State.

Sec. 12. NO CONTRACT WITH STATE OFFICERS, ETC.] No contract shall be let to any person holding any State office in this State or a seat in the General Assembly, or to any person employed in any of the offices of the State government, or the wife of a State officer, member of the General Assembly, or employee as aforesaid, nor shall any State officer, member of the General Assembly, or wife of employee as aforesaid, become, directly or indirectly, interested in any such contract, under penalty of forfeiting such contract at the option of the Superintendent of Printing, and being fined not exceeding one thousand dollars.

Sec. 13. PREVENTING COMPETITION.] Any person who shall offer or pay to any person any money or other valuable thing to induce such person not to bid for a State contract or as a recompense to him for not having bid for such contract shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment in the penitentiary not longer than three years. Any per-

son who shall accept any money or other valuable thing for not bidding for a State contract, or who shall withhold a bid in consideration of the promise for the payment of money or other valuable thing, shall be guilty of a felony and, on conviction thereof, shall be imprisoned in the penitentiary not longer than three years.

PRINTING.

Sec. 14. CLASSIFICATION.] The printing for the State shall be divided into eight classes and shall, except as otherwise provided in this act, be let in separate contracts for each class, as follows:

First: The printing, folding, stitching and trimming of bills, resolutions, and conference reports for the General Assembly shall constitute the first class.

Second: The printing of the journals, including the daily journals of the Senate and House of Representatives, and all other printing for the General Assembly, such as blanks, rules, calendars, cards, synopses of bills, reports of committees, and communications, and not comprehended within the first class, and all necessary binding for the same, except for the permanent bound volumes of the journals, shall constitute the second class.

Third: The printing of the session laws and reports of all officers, boards, commissions, institutions, and departments, which are bound in cloth or leather or partly in cloth or leather and partly in paper, shall constitute the third class.

Fourth: The printing, folding, stitching, binding, and trimming of statements, briefs, and abstracts for the Attorney General shall constitute the fourth class.

Fifth: The printing, stitching, ruling, lining, indexing, and binding of election registers shall constitute the fifth class.

Sixth: All pamphlet work, including circulars, synopses and other similar work, and all reports and documents which are not bound in cloth, leather, or other hard binding, including binding therefor, and not comprehended in any other class, shall constitute the sixth class.

24 *Seventh:* All job printing and all printing not otherwise classified, includ-
 25 ing binding therefor if ordered by the Superintendent of Printing, shall consti-
 26 tute the seventh class.

27 *Eighth:* Lithographing, maps, charts, and illustrations, engravings, steel
 28 and copper plate printing, electrotyping, half-tone, zinc, wood and other pro-
 29 cess work shall constitute the eighth class.

Sec. 15. SUB-CLASSES.] The Superintendent of Printing may, in his discre-
 2 tion, if he deems it to be to the best interests of the State, divide any class of
 3 printing into sub-classes and advertise for bids and award contracts, with the
 4 approval of the Governor, for the printing of such sub-classes.

Sec. 16. GENERAL PROVISIONS.] Contracts for public printing may be per-
 2 formed either at the city of Springfield or elsewhere in the State, except as to
 3 such portions of the work as the Superintendent of Printing, with the approval
 4 in writing of the Governor, shall determine must, for the convenience of the
 5 public service, be performed at the city of Springfield. The advertisement for
 6 bids shall in every case indicate whether the work will be required to be per-
 7 formed at the city of Springfield or may be performed elsewhere in the State.

8 Contracts for public binding may be performed anywhere within the State.

Sec. 17. MANNER OF PRINTING, ETC.] All printing shall be done under the
 2 general supervision and direction of the Superintendent of Printing. He shall
 3 give general directions for the making up of matter in all classes, so as to avoid
 4 unnecessary charges for composition or press work, and the contractor shall
 5 observe such directions.

6 The manner, form, style, size, and arrangement of type, the spacing of
 7 lines, the width of borders and margins, the method and material of all public
 8 printing shall, when not otherwise prescribed by law, be determined by the Su-
 9 perintendent of Printing, having proper regard to economy and workmanship
 10 and the purpose for which the work is needed.

Sec. 18. CONTRACT PERIODS.] Except as otherwise provided in this Act all
2 contracts for public printing shall be for the term of two years from the first
3 day of July of the year in which such contract is let to and including the thirtieth
4 day of June of each second year thereafter; *provided*, that if by reason of trade
5 and business conditions affecting the printing industry, the Superintendent of
6 Printing, with the approval of the Governor, deems it to be to the best interests
7 of the State to sub-divide the biennial printing or other contracts in any or all
8 classes or sub-classes into shorter contract periods, he is hereby vested with
9 power so to do.

Sec. 19. REQUISITIONS, ETC.] All printing shall be ordered through the
2 office of the Superintendent of Printing, and all requisitions, except as other-
3 wise herein provided, shall be signed by the officer, board, institution, commis-
4 sion, or department requiring such printing. Each requisition for printing shall
5 be accompanied by printer's copy which shall be carefully edited before pre-
6 sentation to the Superintendent of Printing. It shall be the duty of the Superin-
7 tendent of Printing, before delivering printer's copy to the contractor, carefully
8 to examine such printer's copy and to indicate thereon the style in which such
9 order shall be executed by the contractor.

10 The Superintendent of Printing, in ordering printing, shall, by combining or-
11 ders or otherwise, as far as possible, prevent charges for constructive or
12 double composition and the contractor shall follow such directions.

Sec. 20. NUMBER OF COPIES.] Except as otherwise provided in this Act the
2 quantity of matter to be printed for any officer, board, commission, or depart-
3 ment under the supervision of the Governor shall be determined by the Super-
4 intendent of Printing. In ordering public printing each of such officers, boards,
5 commissions, and departments may request the printing of a certain definite
6 number of copies for which printer's copy is furnished. If, in such case, in the
7 opinion of the Superintendent of Printing the number of copies mentioned in
8 such requisition is in excess of the reasonable demands of the public service he
9 may decline to issue a printing order to the contractor to print the number of

10 copies specified in such requisition, and, if he declines to issue such printing
 11 order, he shall notify in writing the authority making such requisition of his de-
 12 cision and of the grounds thereof.

13 In case of a disagreement between the Superintendent of Printing and any
 14 such officer, board, commission, or department as to the number of copies to be
 15 printed an appeal may be taken to the Governor by the authority making requis-
 16 ition for such printing, and the decision of the Governor shall be final.

17 The Governor, Lieutenant-Governor, Secretary of State, Auditor of Public
 18 Accounts, Treasurer, Superintendent of Public Instruction, and Attorney Gen-
 19 eral shall, respectively, be entitled to such quantity of public printing as the reas-
 20 onable demands of their respective offices and of the public service may require.

Sec. 21. CONTRACTORS' DUTIES—PROOFS.] The contractor shall execute with-
 2 in such reasonable time as the Superintendent of Printing may require and in a
 3 manner acceptable to such Superintendent all orders for printing issued to
 4 him. It shall be incumbent upon the contractor for any class or sub-class of
 5 printing to supply such material and appliances as are in the judgment of the
 6 Superintendent of Printing considered reasonably necessary for the prompt and
 7 workmanlike execution of the work, and the best quality of ink suitable for the
 8 character of work being executed shall be used in the press work. The contrac-
 9 tor for work in all classes and sub-classes, unless otherwise ordered by the Su-
 10 perintendent of Printing, shall read and correct the first proof of all work done
 11 by him and see that the same is reasonably free from errors, properly made up in
 12 accordance with the order of the Superintendent of Printing, uniform in style,
 13 punctuation and capitalization, and conformable to copy furnished. A corrected
 14 proof shall then be sent to the Superintendent of Printing who shall read the
 15 same. If additions, changes from copy, or corrections be made in the corrected
 16 proof the Superintendent of Printing shall designate the same and the contractor
 17 shall promptly make the additions, changes from copy, or corrections indicated
 18 on such proof and return it to the Superintendent of Printing for a revision, if
 19 required. The contractor shall return to the Superintendent of Printing the
 20 printer's copy which was furnished to him.

21 The Superintendent of Printing shall retain in his office for a period of two
22 years the printer's copy of all public printing ordered, and at the expiration of
23 such two years he may destroy the same.

24 If any job is rejected on account of error attributable to the contractor he
25 shall promptly reprint the job without additional charge, furnishing at his own
26 cost, charge, and expense all necessary printing paper or other material or
27 work therefor.

Sec. 22. RECORD OF PRINTING.] The Superintendent of Printing shall keep
2 a record of all printing ordered, and shall file and preserve a copy of each docu-
3 ment printed. The copy of each document printed, to be filed as aforesaid, shall,
4 before it is filed, have endorsed upon it the number of copies ordered and re-
5 ceived, the cost of the same, and the authority by which the printing thereof was
6 ordered.

Sec. 23. DELIVERY.] All matter which may be ordered printed shall be de-
2 livered to the contractor with as little delay as possible, and the contractor who
3 is bound by his contract to print the same shall not be held accountable for any
4 delay occasioned by want of copy or in returning proofs.

Sec. 24. PRINTING PAPER.] The paper for the printing of all classes shall
2 be provided by the State. The Superintendent of Printing shall, from time to
3 time as the same may be needed, deliver to each contractor paper for the print-
4 ing such contractor is required by his contract to do; shall take from each contrac-
5 tor a receipt for all paper so delivered and shall keep an account of the same. At
6 the expiration of his contract each contractor shall deliver to the Superintendent
7 of Printing all paper then in his possession belonging to the State. The Super-
8 intendent of Printing shall take note of the paper so returned, and if it is found
9 that any of the paper delivered to the contractor has been wasted or converted
10 to other use than that of the State the contractor shall be charged with the
11 full value thereof, together with the penalty of fifty per cent of the value of the
12 paper so used or wasted, and the amount shall be deducted from his account
13 or may be recovered in an action on his bond; *provided*, that an allowance of

not to exceed five per cent on the cost of said paper may be made for the usual wastage; *and provided further*, in blank book printing an allowance of not exceeding 15 full sheets on each blank book ordered may be allowed.

Sec. 25. DELIVERY TO BINDING CONTRACTOR.] The contractor for printing shall, at his own cost and expense, deliver all work required of him by the Superintendent of Printing to the contractor for public binding and in such forms as the Superintendent of Printing may require.

Sec. 26. UNREASONABLE DELAY.] If in the opinion of the Superintendent of Printing any contractor for printing in any class, or sub-class if there be any, shall fail, refuse, or neglect, for an unreasonable time, to do or to complete and deliver, or if, in his opinion, any contractor aforesaid cannot do and complete and deliver within the time required by the necessities of the State any particular order or orders for printing in any class or sub-class, then the Superintendent of Printing, with the approval of the Governor, may award the contract for such class or sub-class or for the execution of such particular order or orders, without previous advertisement for bids, to the lowest responsible bidder therefor; and, in case any contractor shall be notified in writing by the Superintendent of Printing that any particular order, or orders, is withdrawn from him for an unreasonable delay, such contractor shall at once, on demand, deliver to the Superintendent of Printing, or to his order, printer's copy of the work so unreasonably delayed. In case any particular order or orders shall be withdrawn from any contractor for an unreasonable delay, as provided in this section, the Superintendent of Printing, in the adjustment of the accounts of such contractor, may allow the contractor the contract price of so much of such order as may be completed and accepted, deducting therefrom the damages, if any, sustained by the State by reason of such unreasonable delay.

Sec. 27. "PRINTED BY AUTHORITY."] All books, pamphlets, documents, and reports printed through the office of the Superintendent of Printing shall have printed thereon the words: "Printed by authority of the State of Illinois." No publication shall have written, stamped, or printed thereon, nor attached thereto,

5 the words, "Compliments of," followed by the name of any one, nor any other
6 words of similar purport.

Sec. 28. PRINTING FOR THE GENERAL ASSEMBLY.] Public printing for the

2 exclusive use of either House of the General Assembly shall be subject to its
3 control. Whenever either House requires any printing for its exclusive use its
4 chief clerical officer, and whenever any joint action of both Houses is taken re-
5 quiring any printing to be done, the chief clerical officer of the House where such
6 action originates, shall deliver to the Superintendent of Printing printer's copy
7 therefor with an order for such printing. All bills, except bills of extraordinary
8 length, all resolutions, all joint resolutions, memorials, and daily calendars for
9 which copy is delivered to the Superintendent of Printing by the respective
10 clerical officers shall be printed at such time as will permit their delivery to the
11 clerical officer making such order therefor by nine o'clock of the morning, except
12 Sunday, next succeeding the day on which the order for such printing is deliv-
13 ered.

Sec. 29. TYPE USED—PROOFREADER.] The type used in doing the printing of

2 the bills, resolutions and conference reports of the General Assembly shall be
3 small pica (11 point), composed in a measure six inches wide and made up into
4 pages ten and one-half inches long, or so as to contain three thousand ems as
5 nearly as may be. Between the lines shall be a space not exceeding a pica (12
6 point) slug, but if any matter should properly be set solid the Superintendent of
7 Printing may so decide and direct. During the session of the General Assembly
8 the Superintendent of Printing shall appoint a skilled and competent person or
9 persons to read the proof of work in this class and the contractor shall furnish
10 such proofreader or readers with suitable office room, and shall also provide, at
11 the contractor's expense, an acceptable copy-holder or holders to assist such
12 proofreader or readers.

Sec. 30. JOURNALS.] The clerk of the House of Representatives and the

2 secretary of the Senate shall, respectively, prepare and deliver to the Superin-

3 tendent of Printing immediately after the close of each daily session printer's
4 copy of its daily journals.

5 The journals, including the daily journals, if any are ordered by the General
6 Assembly, shall be set solid, under the instruction of the Superintendent of
7 Printing, without the intervention of unnecessary leads or slugs. In the printed
8 journal of each House of the General Assembly each division list of the yeas and
9 nays shall be set in nonpareil (6 point) type in five columns in alphabetical order.
10 When two or more surnames are alike they shall be distinguished in the list
11 by the addition of the christian name or initials.

12 The page numbers of the daily journal shall be consecutive and continuous
13 from day to day. The Superintendent of Printing shall have three hundred
14 copies of the first edition of the daily journal printed for the use of the Gen-
15 eral Assembly and for the use of the officers of the State government. This
16 edition may, if the Superintendent of Printing so orders, be printed upon tinted
17 paper. After all errors of the first edition of the daily journal have been cor-
18 rected the Superintendent of Printing shall have printed a sufficient number
19 of the daily journals for the use of the General Assembly and for the use of
20 the officers of the State government and all others who may be interested there-
21 in, and he shall also preserve for binding in book form at the end of the session
22 a sufficient number to constitute the bound volumes of the journal of each House.
23 Within sixty days after the adjournment of the General Assembly the Secre-
24 tary of State shall prepare and deliver to the Superintendent of Printing
25 printer's copy of matter not already printed in the daily journal which is re-
26 quired by law or by the order of either House of the General Assembly or by
27 joint resolution to be printed in the journals. The matter furnished for
28 printing by the Secretary of State after the adjournment of the General As-
29 sembly shall be printed in the respective journals as an appendix. It shall be
30 the duty of the Secretary of State to prepare and furnish to the Superintend-
31 ent of Printing indexes to the respective journals.

Sec. 31. SESSION LAWS.] Immediately after the adjournment of the General
2 Assembly it shall be the duty of the Secretary of State to prepare printer's copy
3 for the volume entitled "Session Laws of Illinois," which shall contain in full
4 all Acts and all joint resolutions passed by the General Assembly during such
5 general or special session. The title pages of the volume of the session laws
6 shall contain the following words: "Printed by authority of the General As-
7 sembly of the State of Illinois." The laws shall be arranged by the Secretary
8 of State in alphabetical order, according to the subject matter, and be thus
9 printed. The day on which an Act was approved by the Governor shall be
10 stated at the end of such Act. All Acts becoming law without the approval of
11 the Governor shall be marked in the volume of the laws, at the end of each of
12 such Acts, by the printed certificate of the Secretary of State.

13 The Secretary of State shall also prepare and furnish a table of contents
14 and an index to the volume of the session laws.

REPORTS OF OFFICERS.

Sec. 32. REPORTS TO BE PRINTED.] The messages to the General Assembly
2 by the Governor and the biennial reports of the Lieutenant Governor, Secre-
3 tary of State, Auditor of Public Accounts, Treasurer, Superintendent of Pub-
4 lic Instruction, Attorney General, and of all other officers, boards, commissions,
5 institutions, and departments, shall be printed, bound, and distributed at public
6 expense.

7 Any other report made to the Governor by virtue of the Constitution or
8 of law shall, upon the order and direction of the Governor, be printed, bound,
9 and distributed at public expense.

Sec. 33. REPORTS TO BE EDITED.] Each report, before being submitted to the
2 Superintendent of Printing for printing, shall be carefully edited, and there
3 must be omitted therefrom all journals and minutes of proceedings and all cor-
4 respondence, petitions, orders, and other documents or writings whose substance
5 can be briefly stated. No report shall contain any advertising matter nor any

6 copying of the session laws or statutes, except minor extracts explanatory of
 7 and incorporated in the text. Statistical tables shall, so far as practicable, be
 8 consolidated. All matter which is of interest to individuals chiefly, and not im-
 9 portant information concerning public affairs, shall be omitted therefrom. Any
 10 printer's copy of a report failing to comply in substance with the provisions of
 11 this section, shall be returned to the proper officer for correction, and until the
 12 corrections ordered by the Superintendent of Printing are made, such report
 13 shall not be printed.

Sec. 34. NUMBER OF COPIES.] The printing of the Governor's message and

2 of the editions of the biennial and other reports mentioned in section 32 of this
 3 Act shall be limited as follows:

4	Message or Report.	Maximum Number	Maximum Number
5		of Copies.	of Pages.
6	Governor's message	10,000	No limitation
7	Lieutenant Governor's report.....	1,000	No limitation
8	Report of Secretary of State.....	3,000	150
9	Report of Auditor of Public Accounts.	5,000	No limitation
10	Report of State Treasurer.....	3,000	100
11	Report of Superintendent of Public		
12	Instruction	6,000	No limitation
13	Report of Attorney General, exclusive		
14	of opinions	3,000	100

15 Of any report now or hereafter required by the Constitution or by statute to
 16 be made to the Governor, and not enumerated in this section, such number of
 17 copies containing such number of pages shall be printed as may be ordered and
 18 directed by the Governor.

Sec. 35. The number of reports ordered printed, except where the maximum
 2 number is fixed by this Act, shall not exceed the probable and reasonable de-
 3 mands of the State therefor. If experience shall demonstrate that the number

4 of copies of any report ordered printed, except where the maximum number is
5 fixed by this Act, is, after any year, in excess of the demands of the State the
6 number of copies of such report ordered printed shall thereafter be deter-
7 mined from previous experience.

Sec. 36. LEAFLETS, PAMPHLETS, FOLDERS, ETC.] The Superintendent of Print-
2 ing is empowered, in his discretion, to order printed, from time to time, leaflets,
3 pamphlets, or folders, in such number as he may deem reasonable, parts of
4 official reports, extracts from the statutes on particular subjects, copies of the
5 opinions and decisions of any State officer, board, commission, institution, or de-
6 partment, excerpts from official reports, and special editions of such other docu-
7 ments and reports as the demands of the public service may reasonably re-
8 quire.

Sec. 37. JOB WORK.] Job printing, or printing of the seventh class, shall in-
2 clude such labels, envelopes, letter-heads, note-heads, bill-heads, blanks of all
3 kinds, folders, circulars, postal cards, announcements, instructions, bulletins,
4 cards for card catalogues, indexes, slips, pay rolls, statements, tables of receipts
5 and disbursements, certificates, directories, election and other notices, and such
6 other printing not specified in this Act as may be permitted or required by law
7 and necessary for the use of any officer, board, commission, institution, or de-
8 partment of the State government, including such binding as may be needed in
9 connection with such printing, if ordered by the Superintendent of Printing.

Sec. 38. WORK IN CLASS 8.] Upon the requisition of the General Assembly
2 or of any officer, board, commission, institution, or department of the State govern-
3 ment the Superintendent of Printing, in his discretion, may order the making of
4 the necessary plates for and the printing of maps, charts, illustrations, tabula-
5 tions, and other exhibits to be found as inserts or to be mounted or used separ-
6 ately. He may also cause to be made the necessary engravings for and pro-
7 cure lithographed, engraved, or embossed stationery and envelopes.

- 25 Transfer or colored inks, 50% may be added to above prices.
- 26 Third: For printing, stitching, ruling, binding, lining and indexing each
- 27 election register, eight cents.
- 28 Fourth: For ruling, for the first 250 sheets, 40 cents per hundred each time
- 29 the sheet necessarily passes through the ruling machine, fifteen cents per 100
- 30 sheets each additional time the sheet passes through the ruling machine.
- 31 Fifth: For padding, six cents for each pad, any size or number of sheets.
- 32 Sixth: Binding, folding, stitching and trimming of statements, briefs, and
- 33 abstracts for the Attorney General, for each 100 pages aggregate count, two
- 34 cents, and for sewing, extra for each 100 pages aggregate count, two cents.
- 35 Seventh: Changing matter already in type:
- 36 Machine composition, per hour.....\$1.25
- 37 Hand composition, per hour......75
- 38 Eighth: For lithographing, and other engraving or process work in the
- 39 eighth class, the maximum price shall be five per centum (5%) greater than the
- 40 market price of such work in the city of Chicago at the time of making the
- 41 contract.

 Sec. 40. INTERPRETATION.] Section 39 shall be interpreted in harmony with
2 the following provisions:

3 (1) In computing composition in class 1 the type shall be measured as if
4 it had been set solid; necessary fractions of pages may be counted as full pages,
5 but no blank pages shall be charged for.

6 All composition shall be measured as plain work of this class and no extra
7 allowed on account of a variance from plain composition. In estimating press
8 work in this class four pages shall be considered a form; *provided*, that any
9 number of pages fewer than four shall be considered a form when the copy of
10 any job done in this class is not sufficient to make four pages or shall make one
11 or more full forms and a fractional part of another form.

12 (2) When applied to the press work of books, pamphlets, or other docu-
13 ments having sixteen or more pages, or to job work, a thousand impressions shall

mean a thousand impressions of a form of 16 pages or a form containing all the matter, on one side of 1,000 sheets of paper, or 500 impressions of such form on both sides of 500 sheets of paper. When applied to the press work of half-tones, run separately from the text, a thousand impressions shall mean 1,000 impressions of a form of sixteen pages or less on one side of 1,000 sheets of paper. No single job of press work shall be charged at less than 250 impressions. When a job exceeds 1,000 impressions additional fractional parts of 1,000 impressions shall be charged for at a pro rata figured on the basis per thousand taken by such job.

(3) In printing in class 7, all work set in pica (12 point) type, or all type larger than pica (12 point), wherever used, shall be measured as pica (12 point); *provided*, that a display heading or sub heading in a job shall be measured as of the kind of type which predominates in the job. When any job is set in type smaller than pica (12 point), or when two or more sizes of type are required to be used in the body of the same job, such job shall be estimated by measuring each kind of type so used. All jobs in this class shall be measured by the surface actually printed over and not by the size of the sheet used. If matter is to appear in the form of pages only the actual composition shall be measured or allowed. Composition in this class shall not be allowed for blank pages, but a necessary fractional page shall be measured as a full page. Where blank space is required to be left between lines in a job such space shall be measured as though set in the size of type which predominates in the job. No form in this class shall be measured at less than one thousand ems. Press work in this class shall be estimated as follows:

A form shall consist of whatever appears on the surface of the paper as furnished for the job. If the job is printed on both sides of the sheet, two forms may be allowed. If any job is to be printed in the form of pages, a form shall consist of the number of pages that the paper furnished for the job will admit of printing.

(4) No charge for composition shall be allowed for second editions nor for any other reprint from linotype, electrotpe, stereotype or other plates or forms owned by the State. No charge for composition shall be allowed for extra

46 copies of any printing ordered before the type shall have been distributed, if the
 47 contractor has been instructed to hold the form a reasonable time.

48 (5) One charge and no more shall be made for composition of any printing
 49 ordered by both Houses of the General Assembly.

50 (6) Jobs properly requiring changes on the press shall not be charged for
 51 as separate jobs, but charge may be allowed for actual time required for making
 52 such changes; *provided, however*, that such time charge shall in no case exceed
 53 the cost of such job if measured separately.

54 (7) Tabular work shall consist of two or more columns of figures and
 55 words, or figures or words, with or without rules separating the columns. "Ob-
 56 jectionable" matter may be estimated at the price paid for tabular work.

57 (8) All composition not coming within the foregoing specific definitions
 58 shall be measured as plain composition and no extra shall be allowed for such
 59 work above the contract price.

60 (9) The printing in class 7 shall also include binding, when ordered by
 61 the Superintendent of Printing, and also ruling, padding, scoring, and other me-
 62 chanical operations necessary to procure a finished job. Bids for doing the
 63 work of this class shall also specify the price for binding and the price per one
 64 hundred sheets for ruling, and the price per one hundred sheets for padding,
 65 and the price per one hundred sheets for the various other mechanical opera-
 66 tions required.

BINDING.

Sec. 41. CLASSIFICATION.] The binding for the State shall be divided into
 2 five classes, as follows, viz:

3 *First:* The folding, sewing, and trimming of the laws and journals and the
 4 binding thereof in buckram with substantial tar-board or binder's board sides,
 5 and any required title stamped in gold or ink, as required, on the backs, shall
 6 constitute the first class.

7 *Second:* The folding, sewing, and trimming of the laws and journals and
 8 the binding thereof in full law-sheep or "buckram" with No. 20 tar-board or

9 binder's board sides, and any required title stamped in gold or ink, as required,
10 on the backs, shall constitute the second class.

11 *Third:* The folding, sewing, and trimming of the reports of the executive
12 departments and public institutions, and the binding thereof in cloth and binder's
13 or cloth-board sides, with title and any required ornament embossed in gold on
14 the backs and blank fillets on the sides, shall constitute the third class.

15 *Fourth:* The folding, stitching, and trimming of reports to the General As-
16 sembly or either House thereof and other documents, and the binding of said
17 reports in paper covers, shall constitute the fourth class.

18 *Fifth:* In this class shall be included the printing and binding of all
19 ledgers, journals, cash books, warrant books, invoice books, fee books, or blank
20 books of whatsoever size or style required by any of the State departments;
21 also the tipping in of maps, plates, exhibits, and similar work; also all other
22 binding or work not usually performed in the preceding classes.

23 The Superintendent of Printing shall exhibit in his office fair samples of the
24 various articles of binding for which bids are solicited in this clause.

25 The five classes of binding may be let in one contract, or each class may be
26 let in separate contracts, or the classes may be divided into sub-classes and sep-
27 arate contracts may be let for each sub-class, as the Superintendent of Printing,
28 with the approval of the Governor, may determine.

Sec. 42. MAXIMUM PRICES.] The highest prices that may be paid for bind-
2 ing shall be as follows:

3 For the first class, per volume, fifty cents, irrespective of number of pages;

4 For the second class, per volume, law sheep, two dollars; buckram, fifty
5 cents, irrespective of number of pages;

6 For the third class, per volume, twenty cents, irrespective of number of
7 pages;

8 For the fourth class, per one hundred pages, aggregate count, two cents.

BLANK BOOKS.

Stamped in gold on backbone.

FULL RUSSIA OR EXTRA RUSSIA ENDS AND BANDS.

9	Size of Page.	Description.	Maximum Price.
10	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in.....	{ Plain .....\$12.00 Printed headings 13.00 Full page printing..... 14.00	
11	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 12.00 Printed headings 13.00 Full page printing..... 14.50	
12	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 14.50 Printed headings 17.00 Full page printing..... 18.00	
13	11 $\frac{3}{4}$ by 18 $\frac{1}{2}$ in.....	{ Plain 16.00 Printed headings 17.00 Full page printing..... 18.00	
14	13 $\frac{3}{4}$ by 19 $\frac{1}{2}$ in.....	{ Plain 17.00 Printed headings 20.00 Full page printing..... 20.00	
15	15 $\frac{1}{2}$ by 20 $\frac{1}{4}$ in. or larger.....	{ Plain 21.00 Printed headings 22.00 Full page printing..... 23.00	

THREE QUARTER BINDING.

16	Size of Page.	Description.	Maximum Price.
17	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in.....	{ Plain\$ 9.00 Printed headings 11.00 Full page printing..... 12.00	
18	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 11.00 Printed headings 14.00 Full page printing..... 16.00	
19	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 11.00 Printed headings 14.00 Full page printing..... 15.00	
20	11 $\frac{3}{4}$ by 18 $\frac{1}{2}$ in.....	{ Plain 12.00 Printed headings 14.00 Full page printing..... 15.00	
21	13 $\frac{3}{4}$ by 19 $\frac{1}{2}$ in.....	{ Plain 15.00 Printed headings 16.00 Full page printing..... 17.00	
22	15 $\frac{1}{2}$ by 20 $\frac{1}{4}$ in. or larger.....	{ Plain 16.00 Printed headings 17.00 Full page printing..... 18.00	

HALF BINDING.

	Size of Page.	Description.	Maximum Price.
23			
24	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in	{ Plain\$ 4.00 Printed headings 5.00 Full page printing..... 8.00	
25	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 5.00 Printed headings 8.00 Full page printing..... 9.00	
26	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 6.00 Printed headings 7.00 Full page printing..... 8.00	

CHECK BOOK BINDING.

27	For printing, numbering, perforating and binding books of 300 leaves or	
28	less:	
29	One to page.....	\$.50
30	Two to page, 7x11.....	1.00
31	Three to page, 11x11.....	1.50
32	Larger than 11x11.....	2.00
33	Extra forms	1.00
34	Manifolding, per hundred.....	.03
35	For binding or rebinding and lettering on back or side as required of books,	
36	magazines, periodicals, or other documents for the State library or other de-	
37	partments, per volume, as follows:	

HALF ROAN.

	Maximum Price.
38 Folio 12x18	\$4.00
39 Quarto 9x12	3.00
40 Octavo 6x9	2.00

HALF MOROCCO.

41 Folio 12x18	\$4.00
42 Quarto 9x12	3.00
43 Octavo 6x9	1.00

FLEXIBLE MOROCCO.

44	Folio 12x18.....	\$2.50
45	Quarto 9x12	1.50
46	Octavo 6x9	1.00

GENUINE BUCKRAM.

47	Folio 12x18	\$1.50
48	Quarto 9x12	1.00
49	Octavo 6x9 .....	.50
50	Octavo, rebind	1.00

BINDING STATEMENTS AND REPORTS, ETC.

51	For binding quarterly statements for State Board of Charities, half bind-	
52	ing, per volume.....	\$3.00
53	For printing, ruling, and binding reports of steam and electric railroads,	
54	sleeping cars, steam boat and other companies to public utilities	
55	commission, half binding, paper sides, or paper covers, as directed,	
56	maximum	1.25
57	For binding annual statements of insurance companies to insurance depart-	
58	ment, half binding, per volume.....	3.00
59	For binding the original journals of the House and Senate, half binding, per	
60	volume	2.00
61	For sewing pamphlets, extra, per 100 pages, aggregate count.....	.05
62	For slitting or "cutting out" pages, per 100 .....	.10
63	For tipping or inserting in pages, plates, maps, etc., unfolded, per 100.....	.10
64	For tipping or inserting folded plates, maps, tables, etc., per 100.....	.20
65	For folding plates, maps, tables, etc., per 100 folds.....	.05
66	For binding reports of county superintendents of schools to Superintendent	
67	of Public Instruction, half binding, per volume	4.00
68	For binding House and Senate bills, black cloth, each.....	1.00
69	For numbering lines in blank books, etc., per hundred numbers.....	.04

70	For extra forms in blank books, per form	\$4.00
71	For stamping names and addresses, per line .....	.20
72	For scoring, per hundred impressions .....	.15
73	For special leather titles, singles.....	.25
74	For special leather titles, in quantities.....	.10
75	The contractor for binding shall furnish and provide, at his own cost and	
76	expense, all material necessary for doing the binding of the State.	

Sec. 43. BINDING OF LAWS, JOURNALS, ETC.] Of the number of laws and
2 journals required to be printed, 5,000 copies of the laws and 1,000 copies of the
3 journals shall be bound in the second class of binding. Binding of all other books,
4 reports, documents, pamphlets, maps, magazines, bulletins, and all other printed
5 matter, except as provided otherwise herein, shall be as prescribed by the Su-
6 perintendent of Printing.

Sec. 44. BINDING, NOT PROVIDED FOR.] In case it shall be necessary for the
2 Superintendent of Printing to order the binding of any volume or other work
3 not provided for in this Act, the compensation therefor shall be proportionate to
4 the contract prices under which similar work is being executed by the contractor.

Sec. 45. SAMPLES.] The Superintendent of Printing shall furnish bidders
2 with samples of the first, second, third, and fourth classes of binding, and du-
3 plicates of such samples shall be preserved by the Superintendent of Printing
4 until final settlement is made between the contractor and the State for such
5 binding.

Sec. 46. BIDS FOR EACH KIND OF WORK.] Each bid for folding, stitching or
2 sewing, trimming, and binding shall specify the prices at which the bidder will
3 do each kind of work, as specified in sections 41 and 42 of this Act, and no con-
4 tract shall be let for the doing of any such work at a higher rate than is speci-
5 fied in said sections.

Sec. 47. DUTIES OF BINDER.] The binder shall fold, stitch, or sew the binding
2 of work required of him by his contract in a workmanlike manner and
3 promptly, so that the public business may not be delayed, and shall deliver the
4 same at his own cost, charge, and expense, to the Superintendent of Printing,
5 taking his receipt therefor.

Sec. 48. SUPERINTENDENT'S RECEIPT—DEDUCTIONS.] The Superintendent of
2 Printing, when he receives binding, shall ascertain whether it has been executed
3 as required by contract, and if thus executed shall give the binder his receipt
4 therefor. If the binding is not executed as required by contract the Superin-
5 tendent of Printing may receive the same, giving his receipt therefor, in which
6 receipt he shall state the defects in the work and the amount to be deducted
7 from the contractor's bills for such defects,—which deductions shall be deter-
8 mined by the Superintendent of Printing and charged against said contractor by
9 the Superintendent of Printing.

10 In case of a disagreement between the Superintendent of Printing and
11 any contractor for binding as to corrections of any account, such disagreement
12 shall be settled by the Governor and the decision of the Governor shall be final
13 as to the State of Illinois.

Sec. 49. STATE INSTITUTIONS.] The Superintendent of Printing shall super-
2 vise the printing and binding done in any of the charitable, penal, or reformatory
3 institutions of the State and all of the mechanical equipment therefor. He
4 shall send such orders for printing or for binding, or for printing and binding,
5 to such charitable, penal, or reformatory institutions of the State as are equipped
6 to do printing and binding, as will keep the inmates therein employed at such
7 work. He shall fix and prescribe the maximum amount that will be allowed to
8 such institution for the doing of such work, which maximum sum shall, in no case,
9 exceed the maximum amount which would be allowed a contractor for doing
10 such work. The institution in which such printing or such binding, or such
11 printing and binding, is done shall be paid therefor out of any appropriation
12 made for printing and binding.

Sec. 50. MANNER OF DISTRIBUTION.] Immediately after the receipt of public

printing by the Superintendent of Printing such printing shall be distributed as follows:

(1) Of the bound volumes of the public laws and of the bound volumes of the journals of both Houses of the General Assembly, respectively, one copy of each shall be sent to each State officer, board, commission, institution, and department, one copy each to each judge of a court of record in this State, one copy each to each county officer, 10 copies to the library of the University of Illinois, a sufficient number of copies for exchange purposes to the State library, and the remainder shall be retained for such distribution as the interests of the State may require.

(2) Of all reports and all other printed documents, pamphlets, leaflets, circulars, maps, charts, and all other printed matter of a documentary nature ordered by the General Assembly or by any officer, board, commission, institution, or department, one copy each to such persons interested therein who may make application therefor, and one copy each to such persons, institutions or public officials as the authority making requisition for such printing may request, ten copies to the library of the University of Illinois, a sufficient number of copies for exchange purposes to the State library, and the remainder, if any, to the authority making requisition for such printing. Any officer, board, commission, institution, or department may file with the Superintendent of Printing a list of persons, institutions or public officials to whom he or it desires printed matter ordered printed by him or it, respectively, sent, and one copy of each shall be sent to such persons, institutions, and public officials.

(3) Of all other printing, such as abstracts and briefs for the Attorney General, blanks, blank books, and printing not intended for public distribution, to the authority making requisition for such printing.

(4) The Superintendent of Printing shall reserve in his office a reasonable number of copies of each book, pamphlet, report, or other document for future distribution.

31 The distributing shall be done at the State capitol, under the direction of
32 the Superintendent of Printing, as soon as practicable after the printed matter
33 is ready for distribution, and shall be transmitted by the most economical, con-
34 venient, and rapid means of conveyance.

Sec. 51. MAXIMUM PRICE.] The maximum price for distributing the laws,
2 journals, and all other printed matte required to be distributed by this or any
3 other Act, or by resolution of the General Assembly, shall be \$1,500 per an-
4 num.

COPYING, ETC.

Sec. 52. MAXIMUM PRICE.] No contract for the copying of the laws, joint
2 resolutions, and journals shall be made for a greater sum or rate than five cents
3 per one hundred words, actual count.

Sec. 53. DUTY OF CONTRACTOR.] It shall be the duty of the contractor for
2 copying the laws, joint resolutions, and journals to do such copying accurately,
3 and it shall be plain and legible; and to copy the same as fast as they shall be
4 required by the Superintendent of Printing; and in case such contractor shall
5 neglect or fail, from any cause, to copy the laws, joint resolutions, or journals
6 as fast as the same shall be required by the Superintendent of Printing, it shall
7 be the duty of the Superintendent of Printing at once to notify the Secretary of
8 State in writing of such neglect or failure.

Sec. 54. HOW COPYING DONE.] The copying of the laws, joint resolutions,
2 and journals shall be done in the State capitol, under the personal supervision
3 of the Secretary of State; and such copies shall be carefully compared with the
4 originals in his office before being printed.

Sec. 55. LAWS AND JOURNALS.] There shall be copied for the use of the
2 Superintendent of Printing one copy of all the laws and joint resolutions passed
3 by the General Assembly and one copy of the journals of each House thereof;
4 but no reports which are required to be made to the Governor or to the General
5 Assembly shall be included in such journals.

PRINTING PAPER AND STATIONERY.

Sec. 56. STANDARDS OF QUALITY, ETC.] . The Superintendent of Printing
 2 shall purchase and furnish in the manner provided by this Act all printing
 3 paper and stationery for the use of the State. He shall fix standards of quality
 4 for printing paper, cover paper, and other paper used in doing the State print-
 5 ing, and for legal cap, foolscap, writing, manila, note, ledger, envelope, blot-
 6 ting, wrapping, and other paper required by the General Assembly and the offi-
 7 cers, boards, commissions, and departments of the State government; and sam-
 8 ples of all such articles shall, upon application, be furnished to prospective bid-
 9 ders. The Superintendent of Printing shall also provide samples of other sta-
 10 tionery necessary for the use of the General Assembly and of officers, boards,
 11 commissions, and departments of the State government, and shall keep the same
 12 for inspection in his office, and shall, upon application, exhibit or furnish speci-
 13 mens of such samples to prospective bidders. Articles furnished by the con-
 14 tractor shall conform to the standards fixed by the Superintendent of Printing.

Sec. 57. CLASSIFICATION—CONTRACT PERIODS—ADVERTISEMENT.] The Super-
 2 intendent of Printing may, in his discretion, divide the contract for the furnish-
 3 ing of printing paper and other paper and envelopes for the use of the State
 4 into as many classes as he shall deem to be for the best interests of the State,
 5 and shall let contracts separately for each class. He shall, under the direction
 6 of the Governor, let such contracts for periods of three, six, or nine months, or
 7 one year, or for such other periods, not exceeding two years, as he may deem
 8 advisable, having regard to the best interests for the State. Every advertise-
 9 ment for bids for necessary printing paper, cover paper, and other paper for the
 10 use of the State, whether for printing or otherwise, shall specify, as near as may
 11 be, the kinds, quality, and quantity required and shall also specify the size and
 12 weight per ream of each kind required.

13 Any bidder may propose to furnish any one, more than one, or all of the
 14 classes of printing paper and stationery specified in the advertisement.

Sec. 58. DELIVERY.] All printing paper and stationery purchased pursuant to this act shall be delivered to the Superintendent of Printing or to his order, in good order, free from all and every charge or expense and subject to the inspection, count, weight, measurement, and tests of the Superintendent of Printing, whether delivered to the Superintendent of Printing at the Capitol at Springfield or to his order; the Superintendent of Printing shall charge himself with and be accountable for all paper purchased and delivered for public use; *provided, however*, if upon the order of the Superintendent of Printing, paper is delivered to any contractor and accepted by such contractor the responsibility of the Superintendent of Printing for the safe keeping of such paper so delivered and accepted shall thereupon cease and the contractor shall thereupon be held as the insurer of the safekeeping of such paper; *and, provided, further*, if upon the order of the Superintendent of Printing any paper is delivered to and accepted by any officer, board, commission, institution, or department the responsibility of the Superintendent of Printing shall thereupon cease.

Sec. 59. ACCEPTANCE.] The Superintendent of Printing shall compare every lot of paper delivered by any contractor with the standard of quality fixed upon by him prior to receiving bids, and shall not accept any paper which does not conform to the standard so fixed, in every particular. In case of difference of opinion between the Superintendent of Printing and any contractor for paper respecting its quality, the matter of difference shall be determined by the Governor, who may call to his assistance a disinterested expert, and the decision of the Governor shall be final as to the State of Illinois.

Sec. 60. STORE ROOM.] The Superintendent of Printing shall be authorized, with the approval of the Governor, to procure suitable store room for the temporary storage of printing paper which may be needed for the public printing of the State; *provided*, that no contract for or lease of buildings, rooms, or accommodations for this purpose shall be made or entered into for a longer period than one year; *and provided, further*, that such lease shall be approved as to its form by the Attorney General and as to its expediency by the Governor.

Sec. 61. MAXIMUM PRICE.] The maximum price of all paper mentioned in
 2 section 56 of this act shall be five per centum greater than the market price of
 3 such paper at wholesale in the city of Chicago at the time of making the con-
 4 tract, and no contract shall be made at any higher rate.

Sec. 62. MAILING AND COPYING.] It shall be the duty of the Superintend-
 2 ent of Printing to make provision for addressing, enclosing, sealing, stamping,
 3 and mailing of such letters, circulars, blanks, books, pamphlets, documents, or
 4 or other mail matter as the General Assembly or any officer, board, commission,
 5 institution, or department of the State government shall bring to his office for
 6 mailing. It shall also be his duty to equip his office with mimeograph or other ap-
 7 propriate duplicating machines so that copies required by the General Assembly
 8 or any officer, board, commission, institution, or department may be made by the
 9 Superintendent of Printing for the General Assembly or for such other State of-
 10 ficials. The General Assembly or any officer, board, commission, institution, or
 11 department may take to the Superintendent of Printing letters, circulars, blanks,
 12 books, pamphlets, documents, and other mail matter to be addressed, enclosed,
 13 sealed, stamped, and mailed, or may bring to him copy of matter to be mimea-
 14 graphed or duplicated, and it shall be the duty of the Superintendent of Print-
 15 ing to perform such work. In all cases the State officials requiring such work
 16 shall furnish all the material and stamps.

Sec. 63. APPROPRIATIONS.] All appropriations made by the General Assem-
 2 bly for printing, binding, printing paper, cover paper, and other paper and sta-
 3 tionery, respectively, shall be made to the Superintendent of Printing, but such
 4 appropriations shall specify, separately for each office, board, commission, insti-
 5 tution, or department, the maximum amount such office, board, commission, insti-
 6 tution, or department shall be entitled to for printing, binding, printing paper,
 7 cover paper, and other paper and stationery, respectively. No officer, board,
 8 commission, institution, or department shall be entitled to any printing, binding,
 9 printing paper, cover paper, or other paper, or stationery, respectively, in ex-

cess of the amount specified for such respective purposes for each respective public authority.

Sec. 64. ADJUSTMENT OF ACCOUNTS.] The contractor for any or either class or sub-class of public printing or binding shall, respectively, deliver to the Superintendent of Printing with his respective bill for printing or for binding, as the case may be, a copy of each document or other matter charged for in his bill, except blank books and other similar work for which no duplicates are made. In his bill the contractor shall name each job printed or bound, the number of copies of each job printed or bound, the number of impressions of press work in each job, the number of ems of plain composition or of tabular work, the cost of folding, stitching, binding, and other mechanical operations, if any, the extra charges, if any, and also the kind and quantity of paper or binding, as the case may be, used in each job.

Sec. 65. VERIFICATION OF ACCOUNTS.] Every bill for work done or material furnished shall be presented to the Superintendent of Printing, who shall carefully examine and compare the same with the contract for such work or the furnishing of such materials and the vouchers and orders relating thereto. If any error is found in the account, the Superintendent of Printing shall correct the same and return the account to the contractor. If the account is found to be correct, or when it has been corrected, the Superintendent of Printing shall certify the same to the Governor for approval. Upon the approval of the bill by the Governor, the Auditor of Public Accounts shall draw his warrant for the payment thereof out of any moneys which may from time to time be appropriated for that purpose.

If any conflict of opinion shall occur between the Superintendent of Printing and the contractor concerning any bill for printing, the matter shall be determined and adjusted by the Governor, as against the State, who for that purpose, may call to his aid and assistance a competent expert.

Sec. 66. REPORT OF SUPERINTENDENT.] The Superintendent of Printing shall, biennially and at such other times as may be required by the Governor, report to the Governor the exact condition and the quantity and cost of all printing, binding, lithographing, engraving, printing and other paper, and stationery; a detailed statement of all proposals and contracts entered into for doing any work or furnishing materials; of all payments ordered made under his certificate during the time covered by the report; of the quantity or work ordered done and materials furnished, with a general classification thereof, for the General Assembly and for each office, board, institution, commission, and department, and a detailed statement of each account with the General Assembly and public officials; and such other matters connected with the administration of his department as may be in his possession.

Sec. 67. OFFICE AND STORE ROOM.] It shall be the duty of the appropriate officer to provide the Superintendent of Printing adequate rooms in the capitol building at Springfield for his necessary office and store room.

Sec. 68. TRANSFER OF PROPERTY AND RECORDS.] All of the property, records, documents, and papers in the office of the Printer Expert shall, upon the taking effect of this Act, be transferred and delivered to the Superintendent of Printing. It shall be the duty of the Secretary of State and the commissioners of State contracts to deliver and surrender such property, records, documents, and papers as is in his or their custody or under his or their control pertaining to State contracts for printing and binding and for copying and distributing the laws, journals, reports, and other public documents of the State. Upon the taking effect of this Act all the officers and employees in the office of the Printer Expert and the shipping clerk and the supply clerk and clerks and employees in the shipping department and the supply department in the office of the Secretary of State shall be and become employees under the Superintendent of Printing and subject to his direction, supervision, and control.

FUEL CONTRACTS.

Sec. 69. ADVERTISING FOR BIDS.] Between the first Monday in July and the

2 first Monday in August, A. D. 1916, the officer having the superintendence of the
3 heating and lighting plant for the State Capitol at Springfield shall advertise
4 at Springfield, in one of the daily papers published in that city, for proposals
5 to furnish fuel for the use of the State at the heating and lighting plant at
6 Springfield from the first day of October next ensuing until the thirtieth day of
7 June, A. D. 1917; and in the month of May, A. D. 1917, and every two years
8 thereafter, the officer having the superintendence of the heating and lighting plant
9 for the State Capitol at Springfield shall advertise as above provided for pro-
10 posals to furnish fuel for the use of the State at the heating and lighting plant
11 at Springfield for the term of two years from the first day of July then next
12 ensuing.

13 Each of such advertisements shall comply with all the provisions of this
14 Act relating to advertisements for bids for printing and binding; and every bid
15 shall comply with all the provisions of this Act relating to bids for printing and
16 binding, except as provided in this section.

Sec. 70. CONTRACTS.] Bids for furnishing fuel for the use of the State
2 shall be publicly opened by the officer having superintendence of the heating
3 and lighting plant for the State Capitol at Springfield; and contracts therefor
4 shall be publicly awarded by the officer having superintendence of the heating
5 and lighting plant for the State Capitol at Springfield in the presence of and
6 subject to the approval of the Governor, and in accordance with all the pro-
7 visions of this Act relating to the opening of bids and award of contracts for
8 printing and binding, except as provided in this section. Such contracts shall
9 be prepared and entered into by the officer having superintendence of the heat-
10 ing and lighting plant for the State Capitol at Springfield, as representing the
11 State of Illinois, and with the approval thereon in writing of the Governor,
12 and the successful bidder, subject to cancellation and to all the other pro-

visions of this Act relating to contracts for printing and bind, except as provided in this section.

Sec. 71. **MAXIMUM PRICES.]** The maximum prices for fuel shall be as follows: For hickory wood, \$6 per cord; for all other kinds of wood, \$5 per cord; for coal, \$2.50 per ton.

Sec. 72. **RECEIVING FUEL—ACCOUNT.]** On the delivery of any fuel the officer having superintendence of the heating and lighting plant for the State Capitol at Springfield shall examine the same as to quality and quantity; and if he finds the same to be in accordance with the contract he shall give his receipt therefor, and if it is not according to the contract shall reject it. He shall keep an account of fuel delivered to him and by him furnished to the State house and the several offices to which fuel may be furnished.

SAVINGS AND REPEAL.

Sec. 73. **EXISTING CONTRACTS NOT AFFECTED.]** Nothing in this Act contained shall be construed to alter, abrogate, affect, or impair any contract heretofore entered into with any State contractor by the commissioners of State contracts with the approval of the Governor, but such contracts shall in all respects be carried out in accordance with the law under which they were, respectively, awarded. In case, however, this Act makes provision for the purchase of materials or the doing of work for which no contract has heretofore been awarded, then the Superintendent of Printing, or Superintendent of Buildings, as the case may be, shall at once award such contracts in accordance with the provisions of this Act.

Sec. 74. **ACTS REPEALED.]** The following Acts and parts of Acts are hereby repealed:

“An Act to revise the law in relation to State contracts,” approved March 31, 1874, in force July 1, 1874;

“An Act in relation to State contracts,” approved May 16, 1905, in force July 1, 1905.



- 1 Introduced by Mr. Fahy (by request), April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act authorizing the recording of the ownership of municipal bonds.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever the owner of municipal
3 bonds shall present to the State Auditor a written request to to have the same
4 recorded in form substantially as follows:

5 *“To the State Auditor:*

6 The undersigned, being the owner of.....bonds, issued by.....in the
7 county of State of Illinois, numbered, dated the day of
8, 19...., due the day of....., 19...., and bearing interest at
9 the rate of per centum per annum, and payable at.....in the city
10 of....., State of, hereby presents said bonds and requests the
11 ownership of the same to be recorded in the books of your office in the name
12 of....., of in the county of and State of.....
13

14 Applicant.”

15 It shall be the duty of the State Auditor upon receipt of a fee of ten cents for
16 each bond, to record the ownership of such bonds in the books of his office, and

thereafter the principal of said bonds shall be payable to the order of such recorded owner; the coupons evidencing the interest upon such bonds shall be, and continue, payable to bearer.

Sec. 2. The State Auditor shall procure a wellbound book, to be known as "Bond Record Book," in which shall be recorded the following:

".....Bonds, issued by.....,
State of.....

Number	Date	Maturity	Rate of Interest	Owner	P. O. Address	Date of Recording

On the face or margin of such bonds there shall appear the words "The principal of this bond is payable to the recorded owner as shown by endorsement on the back hereof." On the back of such bonds shall appear the following words:

"This bond is payable to....., of, State of.....,
or order."

State Auditor."

Which said endorsements on the face and back of such bonds shall be written, stamped or printed in red ink, at the cost of the applicant.

Sec. 3. Bonds so recorded may from time to time be transferred to another, or to bearer, by the recorded owner by endorsement in writing, which endorsement shall be taken to operate simply as a transfer of title and shall not operate as a guaranty of the payment of such bonds.

Sec. 4. The words "Municipal Bonds" as used in this Act, shall be construed to mean and to include bonds issued by counties, cities, towns, villages, school districts, park districts and drainage districts in this state.

- 1 Introduced by Mr. Bentley, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, by amending section 8 of article III and subdivision II, section 42 of article VI thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, be and the same is hereby amended by amending section 8 of article III and subdivision II, section 42 of article VI thereof, which said sections when amended shall read as follows:

ARTICLE III.

COUNTY SUPERINTENDENTS OF HIGHWAYS.

Sec. 8. COUNTY SUPERINTENDENTS OF HIGHWAYS.] (A) APPOINTMENT.] In each and every county of the State there shall be a county superintendent of highways to be appointed in the manner following: Within ninety days after this Act shall become effective, the county board of each county shall submit to the State Highway Commission a list of from three to five persons, residents

6 of the county, considered desirable candidates for the office of county superin-
 7 tendent of highways. The State commission shall thereupon determine by com-
 8 petitive examination from among the names submitted, the person or persons
 9 best fitted for said office, and shall thereupon certify the same to the county
 10 board submitting such list, who shall then make an order appointing, from the
 11 number found eligible, one such person superintendent of highways for such
 12 county: *Provided, however,* that if on the list submitted there is found no per-
 13 son qualified for the position the county board shall in like manner submit a
 14 further list and if on this second list no one is found qualified the county board
 15 may employ some person other than a resident of the county and who has passed
 16 satisfactorily the examination presented by the State Highway Commission.
 17 No part of any moneys appropriated by the State for the building and maintain-
 18 ing of State Aid Roads shall be apportioned to any county until such county su-
 19 perintendent of highways shall have been appointed.

20 (B) TERM OF OFFICE—SALARY.] The term of office of each county superin-
 21 tendent of highways shall be *two* years and until his successor is duly appointed
 22 and qualified. He shall receive a salary payable out of the general funds of the
 23 county in a sum to be fixed by the county board.

24 (C) REMOVAL.] Any county superintendent of highways may be removed
 25 from office by the county board of his county for incompetence, neglect of duty or
 26 malfeasance in office.

27 (D) POWERS AND DUTIES.] The county superintendent of highways shall,
 28 subject to the rules and regulations of the State Highway Commission:

29 (1) Prepare plans, specifications and estimates for all bridges to be built
 30 by the county. Such plans and specifications, before being finally adopted, shall
 31 be submitted to the State Highway Commission and approved by them.

32 (2) Act for the county in all matters relating to the supervision of the
 33 construction and maintenance of any road or bridge constructed or maintained
 34 at the entire expense of the county or at the joint expense of the county and any
 35 town or road district therein, as hereinafter set forth.

36 (3) Visit and inspect the highways and bridges in each town or district of
37 his county, at least once in each year and whenever directed so to do by the State
38 Highway Commission, or the State Highway Engineer, and advise and direct
39 the highway commissioners of the several towns or districts in his county as
40 to the best methods of repair, maintenance and improvement of highways and
41 bridges.

42 (4) Subject to the direction of the State Highway Commission, to super-
43 vise the repair and maintenance of all State Aid Roads within his county.

44 (5) Keep a record of all contracts or purchases of materials, machinery or
45 apparatus to be used in road construction in excess of *five* hundred dollars
46 (\$500) approved by him in any town or district as hereinafter provided.

47 (6) Perform such other duties as may be prescribed by law, the rules and
48 regulations of the State Highway Commission or the direction of the State
49 Highway Engineer in conformity thereto. Other than as above specifically in-
50 dicated, the county superintendent of highways shall, to all intents and pur-
51 poses, be regarded as a deputy to the State Highway Engineer: *Provided,*
52 *however,* that no county superintendent of highways shall be required, without
53 his consent, and the consent of the board of supervisors, or the board of county
54 commissioners, of the county in whose employ he is to perform services in any
55 other county.

56 (E) VACANCY.] In case the office of county superintendent of highways in
57 any county shall at any time be vacant, and a temporary emergency shall arise
58 requiring that some duly qualified official perform the duties of said office, then
59 the State Highway Commission may designate any competent person to perform
60 the duties of such office during the existence of such temporary emergency.

(ARTICLE VI.)

HIGHWAY OFFICERS—THEIR ELECTION, POWERS, DUTIES AND COMPENSATION.

2 Sec. 42. TOWN AND DISTRICT ROAD OFFICERS.] (A) COMMISSIONERS.] In each
3 township in counties under township organization and in each road district in
counties not under township organization there shall be a board of highway

4 commissioners, consisting of three members, each of whom shall serve for a
5 term of three years and until his successor is duly elected and qualified, and
6 who shall be elected in the manner hereinafter set forth. The powers and duties
7 of such highway commissioners shall be as hereinafter indicated.

8 (B) CLERK.] In counties under township organization the town clerk
9 shall act as the clerk of the board of highway commissioners of such town. In
10 counties not under township organization there shall be elected in each road dis-
11 trict a district clerk, who shall hold his office for the term of three years and un-
12 til his successor is elected and qualified.

13 (C) TREASURER.] In counties under township organization *the highway*
14 *commissioners* of each town shall be *ex officio* treasurer of the road and bridge
15 fund. In counties not under township organization the district clerk shall be
16 *ex officio* treasurer of such fund.

17 (D) WHO ELIGIBLE.] No person shall be eligible to the office of highway
18 commissioner unless he shall be a legal voter and have been one year a resident
19 of such town or district. In counties not under township organization the same
20 limitation shall apply to the district clerk.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 601

1915



2

1 Adopted May 19, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 601 as follows: After the word "fund" in line 15,

2 page 4, add the following:

3 "Provided, in all townships having but one highway commissioner the town
4 clerk shall act as treasurer."

1 Introduced by Mr. Lipshulch, April 1, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section two (2) of an Act entitled, "An Act in regard to the descent of property," approved April 9, 1872, in force July 1, 1872.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That section two (2) of an Act entitled,
3 "An Act in regard to the descent of property," approved April 9, 1872, in
4 force July 1, 1872, be amended so as to read as follows:

Sec. 2. An illegitimate child shall be heir of its mother, *and of its putative*
2 *father whenever he shall have been legally declared the father, and of any ma-*
3 *ternal ancestor, and of any person from whom its mother might have inherited,*
4 *if living. The lawful issue of an illegitimate person shall represent such per-*
5 *son, and take, by descent, and estate which the parent would have taken, if*
6 *living.*

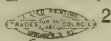
7 *Second.*—The estate, real and personal, of an illegitimate person shall de-
8 scend to and vest in the widow or surviving husband and children, as the estate
9 of other persons in like cases.

10 *Third*—In case of the death of an illegitimate intestate leaving no child or
 11 descendant of a child, the whole estate, personal and real, shall descend to and
 12 absolutely vest in the widow or surviving husband.

13 *Fourth*—When there is no widow or surviving husband, and no child or de-
 14 scendants of a child, *and the identity of the putative father of such a person be*
 15 *not legally established*, the estate of such person shall descend to and vest in the
 16 mother and her children, and their descendants—one-half to the mother, and the
 17 other half to be equally divided between her children and their descendants, the
 18 descendants of a child taking the share of their deceased parent or ancestor.
 19 *But when the identity of the putative father shall be legally established, the*
 20 *estate of such person shall descend to and vest in the parents, brothers and*
 21 *sisters of the deceased, and their descendants, in equal parts among them, al-*
 22 *lowing to each of the parents, if living, a child's part, or to the survivor of*
 23 *them, if one be dead, a double portion; and if there is no parent living, then*
 24 *to the brothers and sisters of the intestate, and their descendants.*

25 *Fifth*—In case there is no heir as above provided, the estate of such per-
 26 son shall descend to and vest in the next of kin to the mother of such intestate,
 27 according to the rule of the civil law, *unless the identity of such person's putative*
 28 *father shall have been legally established, when the estate shall descend in*
 29 *equal parts (computing by the rules of the civil law), and there shall be no*
 30 *representation among collaterals, except with the descendants of brothers and*
 31 *sisters of the intestate; and in no case shall there be any distinction between*
 32 *kindred of the whole and the half blood.*

33 *Sixth*—When there are no heirs or kindred, the estate of such person shall
 34 escheat to the State, and not otherwise.



- 1 Introduced by Mr. Lipschulch, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend sections one (1), six (6), eight (8), nine (9), twelve (12), thirteen (13), fifteen (15), sixteen (16), and seventeen (17) of an Act entitled, "An Act concerning bastardy," approved April 3, 1872, in force July 1, 1872, as amended by subsequent Acts, and to add thereto a new section to be known as section nineteen (19).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections one (1), six (6), eight (8), nine (9), twelve (12), thirteen (13), fifteen (15), sixteen (16) and seventeen (17) of an Act entitled, "An Act concerning bastardy," approved April 3, 1872, in force July 1, 1872, as amended by subsequent Acts, be amended and the new section to be known as section nineteen (19) be added thereto, said sections as amended and said section to read as follows:

Sec. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That when an unmarried woman who shall be pregnant, or delivered of a child which would be deemed *illegitimate*, shall make complaint to a justice of the peace or a judge of a municipal court in the county

12 where she may be so pregnant or delivered, or the person accused may be
 13 found and shall accuse, under oath or affirmation, a person with being the fa-
 14 ther of such a child, it shall be the duty of such justices or judge to issue a war-
 15 rant against the person so accused and cause him to be brought forthwith be-
 16 fore him, or in his absence, any other justice of the pceace or judge in such
 17 county.

Sec. 6. On the trial of every issue of *illegitimacy of a child*, the mother and
 2 defendant shall be admitted as competent witnesses, and their credibility shall
 3 be left to the jury.

Sec. 8. In case the issue be found against the defendant or reputed father,
 2 or whenever he shall, in open court, have confessed the truth of the accusation
 3 against him, he shall be bound by the order and judgment of the court to pay
 4 a sum of money not exceeding one hundred-fifty dollars for the first year after
 5 the birth of such child, and a sum not exceeding one hundred-twenty dollars
 6 yearly, for nine years succeeding said first year, for the support, maintenance
 7 and education of such child, and shall, moreover, be adjudged to pay all the
 8 costs of the prosecution, for which costs execution shall issue as in other cases,
 9 *which judgment shall be entered as in cases of tort..* And the said reputed fa-
 10 ther shall be required by said court to give bond with sufficient security, to be
 11 approved by the judge of said court, for the payment of such sum of money as
 12 shall be ordered by said court, as aforesaid; which said bond shall be made pay-
 13 able to the People of the State of Illinois, and conditioned for the due and faith-
 14 ful payment of said yearly sum, in equal quarterly installments, to the clerk of
 15 said court, which bond shall be filed and preserved by the clerk of said court.

Sec. 9. In case the defendant shall refuse or neglect to give security as
 2 may be ordered by the court, he shall be committed to the jail of the county,
 3 there to remain until he shall comply with such order, or until otherwise dis-
 4 charged by due course of law.

Sec. 12. And said judge shall also have power in case of default is the
2 payment, when due, of any installment or installments, or any part thereof, in
3 the condition of said bond mentioned, to adjudge the reputed father of such child
4 guilty of contempt of said court, by reason of the non-payment as aforesaid, and
5 to order him to be committed to the county jail of said county until the amount
6 of said installment or installments so due, shall be fully paid, together with all
7 costs of such commitment and in the obtaining and enforcing of said judg-
8 ment and execution, as aforesaid. But the commitment of such reputed father
9 shall not operate to stay or defeat the obtaining of judgment and the collection
10 thereof by execution as aforesaid: *Provided*, that the rendition and collection
11 of judgment, as aforesaid, shall not be construed to bar or hinder the taking of
12 similar proceedings for the collection of subsequent installments on said bond,
13 as they shall become due and remain unpaid. *And, provided, further*, that if
14 the judge, or any other person interested in the support of such child, shall
15 deem it necessary, in order to secure the payment or collection of such judgment,
16 that the same should be made a lien on real estate, a transcript of said proceed-
17 ings and judgment shall be made by the clerk of said court, and filed and re-
18 corded in the office of the clerk of the circuit court of said county, in the same
19 manner and with like effect as transcripts of judgments of justices of the peace
20 are filed and recorded, to make the same a lien on real estate, and execution and
21 other process shall thereupon issue for the collection of said judgment as in case
22 of other judgments in said circuit court, and the provisions of this section, as
23 far as applicable, apply to all bonds which have heretofore been taken in pursu-
24 ance of the statutes in regard to bastardy.

Sec. 13. The reputed father of *an illegitimate* child shall not have the
2 right to the custody or control of such child, if the mother is living and wishes
3 to retain such custody and control, until after it shall have arrived at the age
4 of ten years, unless, upon petition to the circuit court of the county in which the
5 mother resides, it shall, on full hearing of the facts in the case, after notice to
6 the mother, be made to appear to the judge of said court that said mother is
7 not a suitable person to have the control and custody of such child.

Sec. 15. If the mother of any *illegitimate* child, and the reputed father,
 2 shall, at any time after its birth, intermarry, the said child shall, in all respects,
 3 be deemed and held legitimate, and the bond aforesaid be void.

Sec. 16. No prosecution under this Act shall be brought after *five* years
 2 from the birth of the *illegitimate* child: *Provided*, the time any person accused
 3 shall be absent from the State shall not be computed.

Sec. 17. The mother of an *illegitimate* child, before or after its birth, may
 2 release the reputed father of such child from all legal liability on account of
 3 such *illegitimacy*, upon such terms as may be consented to in writing by the
 4 judge of the county court of the county in which such mother resides, *or by any*
 5 *of the judges presiding in the criminal court of Cook county if said mother re-*
 6 *sides in said county: Provided*, a release obtained from such mother in con-
 7 sideration of a payment to her of a sum of money less than six hundred dollars
 8 (\$600) in the absence of the written consent of the county judge or judge of the
 9 criminal court of Cook county, shall not be a bar to a *prosecution* of such father
 10 but if after such release is obtained, suit be instituted against such father
 11 and the issue be found against him, he shall be entitled to a set-off for the
 12 amount so paid, and it shall be acceditd to him as of the first payment or
 13 payments: *And, provided further*, that such father may compromise all his legal
 14 liability on account of such *illegitimate* child, with the mother thereof, without
 15 the written consent of the county judge *or of any other judge* as aforesaid by
 16 paying to her any sum not less than six hundred dollars.

Sec. 19. *It is hereby made the duty of the State's attorney of the county*
 2 *where such offense is committed to prosecute all persons violating the provisions*
 3 *of this Act upon proper complaint being made, and the complainant is hereby*
 4 *authorized to employ counsel to assist any State's attorney in conducting such*
 5 *a suit or prosecution on behalf of the State which counsel shall have equal*
 6 *authority with the State's attorney in such proceedings.*

- 1 Introduced by Mr. Richardson (by request), April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to amend section 76 of an Act entitled, "An Act to provide for drainage and agricultural and sanitary purposes, and to repeal certain Acts therein named, approved June 27, 1885, in force July 1, 1885, as amended by an Act entitled, 'An Act to amend section 76 of an Act entitled, 'An Act to provide for drainage and agricultural and sanitary purposes and to repeal certain Acts therein named, approved June 27, 1885, in force July 1, 1885, as amended by an Act approved May 11, 1901, in force July 1, 1901, approved May 18, 1905, in force July 1, 1905.' "

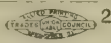
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 76 of an Act entitled, "An
3 Act to provide for drainage and agricultural and sanitary purposes, and to re-
4 peal certain Acts therein named, approved June 27, 1885, in force July 1, 1885,
5 as amended by an Act entitled, 'An Act to amend section 76 of an Act entitled,
6 'An Act to provide for drainage and agricultural and sanitary purposes and
7 to repeal certain Acts therein named, approved June 27, 1885, in force July 1,
8 1885, as amended by an Act approved May 11, 1901, in force July 1, 1901, ap-

proved May 18, 1905, in force July, 1905,' '' be and the same is hereby amended to read as follows:

Sec. 76. Where two or more parties owning adjoining lands which require a system of combined drainage, and by voluntary action construct drains or ditches which form a continuous line or line and branches, the several parties shall be liable each for his just proportion of such repairs as may at any time be needed to place said drain or ditch or drains or ditches and branches in the condition in which they were when originally constructed and connected by the voluntary action of the owners of such adjoining lands, the amount to be determined as near as may be on the same principle as if these ditches were in an organized district. Whenever such repairs are not made by voluntary agreement, any one or more persons owning parts of such drain or ditch, or drains and ditches, shall be competent to petition the county court of the county in which such lands or the major part thereof are situated for the formation of a drainage district to include the lands interested in repairing and maintaining the ditches. The petitioner or petitioners for the formation of such district must show to the satisfaction of such court that his or their land is damaged through the lack of repairs to place the drain or ditch or drains or ditches and branches in the condition in which they were when originally voluntarily constructed and connected by the adjoining land owners.

The form of procedure and conditions heretofore prescribed by this Act for organization of drainage districts by county courts shall be observed as near as practicable; but the drains or ditches shall be taken as a dedication of the right-of-way, and their construction and joining, as the consent of the several parties to be united in a drainage district for the purpose of repairing such drains or ditches so as to place them in the condition in which they were when originally voluntarily constructed and connected by the adjoining land owners.

Sec. 2. All Acts or parts of Acts or amendments thereof heretofore enacted and in any manner conflicting with the provisions of this Act, are hereby expressly repealed.



- 1 Introduced by Mr. Dudgeon, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for county fairs or other agricultural societies of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of one hundred thousand
3 dollars (\$100,000) per annum, or so much thereof as may be necessary, be and
4 the same is hereby appropriated to county fairs or other agricultural societies
5 of the State of Illinois, said appropriations to be divided between such county
6 fairs or agricultural societies which have complied with the conditions pre-
7 scribed by section 7 of an Act entitled, "An Act to revise the law in relation to
8 the Department of Agriculture, agricultural societies and agricultural fairs,
9 and to provide for reports of the same," approved June 23, 1883, in force July
10 1, 1883, and all Acts amendatory of said section.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants upon the State Treasurer for the moneys herein approp-
3 riated in favor of the several county fairs or agricultural societies of this State

4 which shall have complied with the provisions of section 7 of the Act referred to
5 herein, and the certificate of the State Board of Agriculture, signed by its
6 president and attested by its secretary, shall be required by the Auditor of Pub-
7 lic Accounts as proof of such compliance.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 605

1915



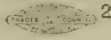
1 Adopted May 17, 1915.

AMENDMENT NO. 1.

Amend House Bill 605, section 1, lines 2 and 3 of the printed bill, by striking
2 out the words and figures, "one hundred thousand dollars (\$100,000)" and in-
3 serting in lieu thereof the words and figures, "eighty-five thousand dollars
4 (\$85,000)".

AMENDMENT NO. 2.

Amend House Bill No. 605, section 2, line 6, by adding after the word "sec-
2 retary" the following words, "and approved by the Governor".



- 1 Introduced by Mr. Lynch, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act appropriating six hundred dollars to reimburse John Dunlap, and providing for the payment of said amount out of the State Treasury.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and hereby is appropriated the sum of six hundred dollars (\$600.00) to reimburse John Dunlap,
3 former State Mine Inspector, for moneys paid out by him, in defending himself
4 on an indictment for causing the arrest of persons for violating the State
5 mining laws, in pursuance of his duties.

Sec. 2. The Auditor of Public Accounts is hereby authorized to draw his
2 warrant upon the State Treasurer for the said amount in favor of said John
3 Dunlap, out of any money in the treasury not otherwise appropriated, and the
4 State Treasurer is hereby authorized to pay such warrant out of any money
5 in the treasury not otherwise appropriated.

- 1 Introduced by Mr. Hamlin, April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to divorce," approved March 10, 1874, in force July 1, 1874, as subsequently amended, by repealing section one "a" (1a) and adding a new section to be known as section 10a.

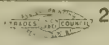
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to divorce," approved March 10, 1874, in force July 1, 1874, as subsequently amended, be and the same is hereby amended by repealing section one "a" (1a) thereof and by adding a new section to be known as section ten "a" (10a) which new section shall read as inserted at length herein.

Sec. 2. Section one "a" (1a) of an Act entitled, "An Act to revise the law in relation to divorce" approved March 10, 1874, in force July 1, 1874, as subsequently amended is hereby repealed.

Sec. 10a. *Upon the hearing of any bill for divorce, if the court shall find the issues in favor of granting a divorce to either party to the suit, an interlocu-*

3 tory order shall be entered to give effect to such finding but no final order shall
4 be entered until one year after the entry of such interlocutory order and the pro-
5 perty rights of the parties shall not be finally determined until the final decree.
6 At the end of one year from the entering of such interlocutory order, the court
7 may, upon application of either party to the bill, make a final order and if said
8 final order be not inconsistent with the interlocutory order, the same may be ex
9 parte. If the terms of the final order are different or inconsistent with those of
10 the interlocutory order, notice must be given the opposing party as provided by
11 law or the rules of the court.

12 In such final order the property rights of the parties may be finally dis-
13 posed of.



- 1 Introduced by Mr. Schubert (by request), April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to amend an Act entitled, “An Act to provide for the establishment of a department of factory inspection, providing for the appointment of factory inspectors and an attorney for the department, and prescribing their duties, and to repeal all Acts or parts of Acts in conflict therewith,” approved June 3, 1907, in force July 1, 1907, as amended by an Act approved June 5, 1911, in force July 1, 1911, by amending section two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, “An Act to provide for the establishment of a department of factory inspection, providing for the appointment of factory inspectors and an attorney for the department, and prescribing their duties, and to repeal all Acts or parts of Acts in conflict therewith,” approved June 3, 1907, in force July 1, 1907, as amended by an Act approved June 5, 1911, in force July 1, 1911, be and the same is hereby amended by amending section two (2) thereof, so that said section when amended shall read as follows:

Sec. 2. The Governor shall, upon the taking effect of this Act, appoint a Chief State Factory Inspector, whose duty shall be to exercise general supervi-

3 sion over the department of factory inspection and all of its inspectors, and
 4 *other employees thereof*, and secure the enforcement of all laws now in force or
 5 hereafter enacted relating to the inspection of factories, mercantile establish-
 6 ments, mills, workshops, and commercial institutions in this State, and to per-
 7 form such other duties as are now or may hereafter be prescribed by law to be
 8 performed by the factory inspector. The salary of such Chief State Factory
 9 Inspector shall be *five* thousand dollars (\$5,000.00) per annum and his term of
 10 office shall be four (4) years.

11 The Governor shall appoint, upon the taking effect of this Act, an Assistant
 12 Chief Factory Inspector at a salary of *three* thousand dollars (\$3,000.00) per
 13 annum; *two* (2) physicians at a salary of *two thousand* dollars (\$2,000.00) *each*
 14 *per annum*; an editor, who shall also act as statistician, at a salary of *two thou-*
 15 *sand dollars* (\$2,000.00) *per annum*; *forty-five* (45) deputy factory inspectors at
 16 a salary of *fifteen* hundred dollars (\$1500.00) *each per annum*; and an attorney
 17 for said department at a salary of *two thousand dollars* (\$2,000.00) per annum.

18 The duties of the assistant chief factory inspector, *physicians* and deputy
 19 inspectors, as herein provided, shall be the same as those now or hereafter im-
 20 posed by law upon the Chief State Factory Inspector and the assistant chief
 21 factory inspector and the deputy factory inspectors, and they shall be subject
 22 to the supervision and direction of the Chief State Factory Inspector in the
 23 discharge of such duties. Said Chief State Factory Inspector and the other
 24 inspectors provided for herein shall visit and inspect, at all reasonable hours, as
 25 often as practicable, the factories, mercantile establishments, mills, workshops
 26 and commercial institutions *and other places of employment in this State*.

27 *The editor shall prepare and keep on file in the department for the infor-*
 28 *mation of the Chief State Factory Inspector, all such reports and statistics and*
 29 *any other information regarding the work of this department for immediate use*
 30 *of the chief factory inspector.*

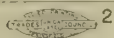
31 And the Chief State Factory Inspector shall report in writing to the Gov-
 32 ernor on the thirteenth (30th) day of June annually, the result of his inspections
 33 and investigations, together with such other information and recommendations

34 as he may deem proper. And said inspectors shall make a special investiga-
35 tion into the conditions of labor in this State, or into any alleged abuses in con-
36 nection therewith, whenever the Governor shall direct, and report the results of
37 the same to the Governor.

38 It shall be the duty of the said inspectors to enforce the provisions of this
39 Act, and perform such other duties as now are or shall hereafter be prescribed
40 by law, and to prosecute all violations of law relating to the inspection of fac-
41 tories, mercantile establishments, mills, workshops, and commercial institutions
42 in this State before any magistrate or in any court of competent jurisdiction in
43 this State.

44 And it shall be the duty of the State's attorney of the proper county, upon
45 request of the Chief State Factory Inspector or his deputies, to prosecute any
46 violation of law which it is made the duty of the factory inspectors to enforce.
47 And it shall be the duty of the attorney for such department to prosecute,
48 when requested by the Chief State Factory Inspector, any infractions or viola-
49 tions of law which is now or may be hereafter made the duty of the factory in-
50 spector to enforce.

51 Said Chief State Factory Inspector shall, by written order filed with the
52 Governor, divide the State into inspection districts, due regard being had to the
53 number of establishments and the amount of work required to be performed in
54 each district. And he shall assign to each district a deputy inspector who shall
55 have charge of the inspection in the district to which he is assigned, under the
56 supervision of the Chief State Factory Inspector. The Chief State Factory In-
57 spector may at any time, when in his discretion the good of the service requires,
58 change a deputy inspector from one district to another, or re-assign the districts
59 of the State among the several deputy inspectors under his charge. He may at
60 any time, when the conditions are changed, or in his discretion the good of the
61 service requires, by a like order filed with the Governor, re-divide the State into
62 inspection districts, changing the territory embraced within the several districts
63 as to him may seem advisable.



- 1 Introduced by Mr. Smejkel (by request), April 1, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriation for the Northern Illinois State Normal School.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That the following sums be and are here-
 by appropriated to the Northern Illinois State Normal School for the biennium
 beginning July 1, 1915.

Sec. 2. For the purpose of defraying the ordinary expenses of the said
 State Normal School the sum of \$105,000 per annum.....\$210,000
 For extraordinary repairs on main building 1,200
 For extraordinary repairs on Practice School building 1,200
 For the enlargement of the heating plant, erection of a new stack, en-
 largement of the plant by an additional boiler 30,000

Sec. 3. The board of trustees of the Northern Illinois State Normal
 School is hereby authorized and directed to expend for the current expenses
 of the Northern Illinois State Normal School all moneys received for term
 fees, tuition, and all similar receipts, and to report quarterly to the Auditor
 of Public Accounts the amounts so received and expended with itemized
 vouchers for all expenditures.



1 Introduced by Mr. W. M. Brown, April 7, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 1 of division XIV of an Act entitled “An Act to revise the law in relation to criminal jurisprudence.” Approved March 27, 1874, in force July 1, 1874.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of division XIV of an Act entitled “An Act to revise the law in relation to criminal jurisprudence.” Approved March 27, 1874. In force July 1, 1874, be and the same is hereby amended to read as follows:

Sec. 1. The manner of inflicting the punishment of death shall be by hanging the person convicted, by the neck until dead, at such time as the court shall direct, not less than fifteen nor more than twenty-five days from the time sentence is pronounced: *Provided*, the day set shall not occur before the tenth day of the term of the supreme court occurring (in either of the grand divisions) next after the pronouncing of the judgment: *And, provided, that the day for the punishment of death as prescribed herein shall not be fixed for nor carried out on any day designated as a legal holiday:* *And, provided*, that for good cause the court or governor may prolong the time. At the expiration of the time so prolonged, the judgment shall be executed the same as if that were the time fixed by the judgment for the execution thereof.

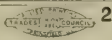


- 1 Introduced by Mr. Hubbard, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to repeal an Act entitled, “An Act to provide by State tax for a fund for the support and maintenance of the University of Illinois,” approved June 10, 1911, in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, “An Act to pro-
3 vide by State tax for a fund for the support and maintenance of the Univer-
4 sity of Illinois,” approved June 10, 1911, in force July 1, 1911, be and the
5 same is hereby repealed.



- 1 Introduced by Mr. Hubbard, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

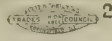
A BILL

For an Act entitled, “An Act to provide for the regulation of public utilities,” approved June 30, 1913, in force January 1, 1914, by amending section five (5) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, “An Act to provide for the regulation of public utilities,” approved June 30, 1913, in force January 1, 1914, be and the same is hereby amended by amending section five (5) thereof, so that said section when amended shall read as follows:*

Sec. 5. *The annual salary of the chairman shall be ten thousand dollars and the salary of each commissioner shall be seven thousand dollars. The annual salary of the secretary to the commission shall be five thousand dollars. The annual salary of the counsel to the commission shall be six thousand dollars. All officers, accountants, engineers, clerks, inspectors, experts, and employees of the commission shall receive the compensation fixed by the commission subject to the approval of the Governor. The commissioners and their*

13 officers, accountants, engineers, clerks, inspectors, experts and other employees,
14 shall have reimbursed to them all actual and necessary traveling and other ex-
15 penses and disbursements necessarily incurred or made by them in the dis-
16 charge of their official duties. The commission may also incur necessary expen-
17 ses for office furniture, stationery, printing and other incidental expenses. Said
18 salaries and expenses shall be paid out of moneys appropriated for the com-
19 mission only upon the order of the chairman of the commission, approved by
20 the Governor.



- 1 Introduced by Mr. Hubbard, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913,, in force January 1, 1914, by amending section one (1) thereof.

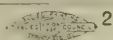
SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to provide for the regulation of public utilities," approved June 30, 1913, in force January 1, 1914, be and the same is hereby amended by amending section one (1) thereof, so that said section when amended shall read as follows:*

6 Sec. 1. That the State Public Utilities Commission *shall consist of three*
7 *(3) members.* Within thirty days after this Act shall take effect, the Governor
8 shall *designate which of the five (5) members now serving on said commission*
9 *shall remain and the term for which each shall serve not exceeding six (6) years,*
10 and thereafter as the term of any member expires, the Governor, by and with
11 the advice and consent of the Senate, shall appoint one or two members of
12 the commission, as the case may be, to serve for the term of six (6) years from

13 and after the expiration of the term of his predecessor. Each commissioner
14 shall hold office until his successor shall have been appointed and qualified.
15 The Governor shall from time to time designate the member of the commission
16 who shall be its chairman.

17 Every vacancy in the commission shall be filled for the unexpired portion
18 of the term by appointment by the Governor, by and with the advice and con-
19 sent of the Senate: *Provided*, that if any vacancy occurs during the recess of
20 the Senate, the Governor may make a temporary appointment until the next
21 meeting of the Senate.

22 A majority of the commission shall constitute a quorum to transact busi-
23 ness; but no vacancy shall impair the right of the remaining commissioners to
24 exercise all the powers of the commission; and every finding, order or decis-
25 ion made by a commissioner, when approved and confirmed by the commission,
26 shall be deemed to be the finding, order or decision of the commission.



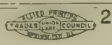
- 1 Introduced by Mr. Kessinger, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act providing for the recovery of damages for personal injuries sustained through default or neglect of officers, agents and employees of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any person who, while in the exer-
3 cise of due care and caution for his own safety, shall sustain personal injuries
4 caused by the wrongful act, neglect or default of any other person who shall be
5 an officer, agent or employee of the State of Illinois, acting within the scope of his
6 authority, agency or employment, shall be entitled to recover from the State of
7 Illinois just compensation for the loss, damage and injury sustained and in the
8 event of death by wrongful act under circumstances, as herein stated, the cause
9 of action shall survive to the widow and next of kin as provided by law.

Sec. 2. All actions against the State of Illinois to recover damages for
2 death or injuries shall be begun in the court of claims and shall be tried and
3 determined according to the law and rules of said Court.



- 1 Introduced by Mr. Arthur Roe, April, 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to make appropriation for ordinary and other expenses of the Illinois State Reformatory at Pontiac.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That the following amounts, or so much
thereof as may be necessary, be, and the same are, hereby appropriated to the
Illinois State Reformatory at Pontiac, for the purposes hereinafter named, and
no other:

For the ordinary expenses of the reformatory and the expenses of the board of managers for the year ending July 30, 1916.....	\$ 240,000
For the ordinary expenses of the reformatory and the expenses of the board of managers for the year ending June 30, 1917.....	\$ 240,000
For ordinary repairs and improvements \$5,000 per annum	\$ 10,000
For discharge and parole of inmates and maintaining the parole system, \$15,000 per annum	\$ 30,000
For maintenance of electric lights, telephone telegraph, and fire alarm system, \$1,500 per annum	\$ 3,000

15	For maintenance and continuation of manual training school, \$5,000 per	
16	annum	\$ 10,000
17	For material in trade school instruction, \$2,500 per annum	\$ 5,000
18	For school books for inmates' school, seats, desks, charts, reference	
19	books, etc., \$1,250 per annum.....	\$ 2,500
20	For repairs on farm buildings, and purchase of additional cows and	
21	horses, \$1,250 per annum	\$ 2,500
22	For lectures, entertainments, concerts, etc., \$750 per annum	\$ 1,500
23	For maintenance of Y. M. C. A., \$200 per annum	\$ 400
24	For dentist and material, \$1,500 per annum	\$ 3,000
25	For remodeling main building.....	\$ 10,000
26	For rebuilding manual training building	\$ 15,000
27	For building gymnasium	\$ 25,000
28	For fire apparatus	\$ 5,000
29	For deep well	\$ 20,000
30	For repairing windows in south cellhouse	\$ 600
31	For ventilating fan in inmates' kitchen	\$ 2,500
32	For cold storage	\$ 5,000
33	For purchase of thorobred stock	\$ 5,000
34	For dairy barn	\$ 7,000

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants for the sums hereby appropriated upon the presentation
3 of itemized vouchers, certified to by the board of managers and said reformatory,
4 signed by the president and attested by the secretary, with the seal of the insti-
5 tution attached, and approved by the Governor.



- 1 Introduced by Mr. Mulcahy, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to attorneys and counselors," approved March 28, 1874, in force July 1, 1874 as subsequently amended by amending section eight thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to attorneys and counselors," approved March 28, 1874, in
4 force July 7, 1874, as subsequently amended, be and the same is hereby amended
5 by amending section eight (8) thereof so that the said section eight when amend-
6 ed shall read as follows:

Sec. 8. *No information for the disbarment or suspension of any attorney*
2 *shall be filed in the office of the clerk of the Supreme Court unless the same be*
3 *signed by the Attorney General, the State's attorney of the county where the ac-*
4 *cused resides or by the president or attorney or a member of the grievance com-*
5 *mittee of the State Bar Association or of the district, county or city bar associa-*
6 *tion where accused resides, and no such information shall be filed until notice*

7 has been served upon the attorney accused, proof of such notice to accompany
8 and be filed with such information.

9 The information shall show the alleged facts upon which it is based with
10 reasonable certainty and the accused may demur or plead thereto and when the
11 cause is at issue, the accused may demand a jury trial and if no jury is demanded
12 the cause shall be referred to a commissioner named by the Supreme Court to
13 take testimony and report the same to the Supreme Court with the commission-
14 er's conclusions. If the trial be by jury the same rules of law and evidence shall
15 be observed as near as may be applicable to other jury trials, and if the verdict
16 of the jury be "not guilty" the information shall be dismissed but if the verdict
17 be "guilty" the same shall be certified to the Supreme Court for action thereon.

18 When a commissioner is designated in Acts as provided herein, he shall re-
19 ceive for his services the same fees as are allowed to masters-in-chancery and if
20 the final judgment be against the accused such accused shall be adjudged to pay
21 the costs of such proceedings and if the accused be found not guilty the costs shall
22 be paid as in criminal cases.

23 All information heretofore filed in the office of the clerk of the Supreme
24 Court against attorneys or counselors-at-law not signed as herein provided shall
25 be dismissed and stricken on motion accused.

26 And every attorney whose name shall, at any time, be stricken from the roll
27 by order of the court in manner aforesaid, shall be considered as though his
28 name had never been written thereon until such time as the said justices, in open
29 court, shall authorize him to sign or subscribe the same.

Sec. 2. Whereas an emergency exists, therefore this Act shall take effect
2 from and after its passage and approval.



1 Adopted May 6, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 616 by inserting after the word "trial" in line 11 of
2 the printed bill, the following words: "the jury to be called by the commis
3 sioner."

AMENDMENT NO. 2.

Amend House Bill No. 616 by striking out the word "in" in line 18 of the
2 printed bill and inserting in lieu thereof the word "and."

AMENDMENT NO. 3.

Amend House Bill No. 616 by striking out all of line 18 beginning with the
2 word "as" and striking out line 19, line 20 and all of line 21 to and includ-
3 ing the word "guilty" in said line 21.



- 1 Introduced by Mr. Igoe, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the Appointment of Commissioners and making an appropriation for the construction and erection of a monument in memory of Lyman Trumbull of Chicago, Cook County, Illinois.

WHEREAS, it benefits a State to perpetuate the memories of its great men, and thereby inspire in those who come after them, higher conceptions of patriotism towards the State and Nation; and

WHEREAS, Lyman Trumbull as a worthy citizen of this State for fifty-nine years, as a judge of its highest court for nearly five years, as one of its representatives in the Senate of the United States for eighteen years, as the chairman of the Committee on Judiciary of the United States Senate during twelve years of one of the most critical periods in the life of this nation, as a legislator who formulated, and materially aided in securing the adoption of, an amendment to the federal constitution forever abolishing slavery within the United States, and as a judge of a high court of impeachment, who, with an unselfish courage that is inspiring, sacrificed his political future to his convictions and his sense of duty, has rendered public services which entitle him to rank as one of the greatest men of the State of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Governor is hereby authorized
3 and empowered to appoint five commissioners, who shall act without compensa-
4 tion, and whose duty it shall be to obtain suitable grounds and space in one of
5 the public parks or other proper place in and within the limits of the City of
6 Chicago, Cook County, in the State of Illinois, for the purpose of constructing,
7 erecting and dedicating a suitable memorial in the form of a statue or bust,
8 with suitable base and proper inscription, and to erect such memorial to the
9 memory of the late Lyman Trumbull, a former United States Senator from
10 Illinois.

Sec. 2. Said commissioners shall be empowered to make necessary con-
2 tracts and expend all reasonable sums of money in connection with the construc-
3 tion, erection and dedication of the memorial provided in section 1, subject to ap-
4 proval, as hereinafter provided. Upon completion of their work, the commis-
5 sioners shall make a full report to the Governor of their doings under this Act.

Sec. 3. For the purpose of carrying out the provisions of this Act, the sum
2 of twenty-five thousand dollars (\$25,000), or so much thereof as shall be neces-
3 sary, is hereby appropriated to pay the costs and expenses of the procurement,
4 erection and dedication of the afore-mentioned memorial statue and monument.

Sec. 4. The Auditor of Public Accounts is hereby authorized, empowered
2 and directed to draw warrants on the State Treasurer for the payment of all
3 expenditures, upon presentation to him of proper vouchers therefor, certified to
4 by the said commissioners and by and with the approval of the Governor.



- 1 Introduced by Mr. Hamlin, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to provide for the licensing of structural engineers and to regulate the
practice of structural engineering as a profession.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That within thirty days after the taking
effect of this Act the Governor of the State shall appoint a State Board of
Examiners of Structural Engineers, to be composed of five members, one of
whom shall be a professor in the Civil Engineering Department of the University
of Illinois, and the others shall be structural engineers of recognized standing,
who have had not less than ten years' practical experience, ~~then~~ prac-
ticing as structural engineers in the State of Illinois, to hold, regulate, supervise
and control examinations of applicants for license to practice structural engi-
neering in this State. Two of the members shall be designated to hold office
until January 31, 1919; and thereafter upon the expiration of the term of office
of the persons so appointed, the Governor of the State shall appoint a succes-
sor to each person whose term of office shall expire, to hold office for four

14 years, and said person so appointed shall have the above specified qualifica-
15 tions. In case appointment of a successor is not made before the expiration
16 of the term of any member, such member shall hold office until his successor is
17 appointed and duly qualified. Any vacancy occurring in the membership of the
18 Board shall be filled by the Governor of the State for the unexpired term of
19 such membership.

Sec. 2. The members of the State Board of Examiners of Structural En-
2 gineers shall, before entering upon the discharge of their duties, make and file
3 with the Secretary of State the constitutional oath of office. They shall, as soon
4 as organized, and biennially thereafter in the month of February elect from
5 their number a president and a secretary who shall also be the treasurer. The
6 treasurer, before entering upon his duties, shall file a bond with the Secretary
7 of State, for such a sum as shall be required of him by the Secretary of State,
8 and in such form and with such sureties as may be approved by the Governor
9 of the State. The Board shall adopt rules and regulations not inconsistent
10 with this Act to govern its proceedings; shall adopt a seal; and shall cause the
11 prosecution of all persons violating any of the provisions of this Act, and may
12 incur necessary expense in that behalf. The Secretary shall have the care and
13 custody of the seal; and shall keep a record of all the proceedings of the Board
14 which shall be open at all times to the public.

15 The Secretary of the Board shall receive a salary to be fixed by the Board,
16 and which shall not exceed the sum of fifteen hundred (\$1500.00) dollars per
17 annum; he shall also receive his traveling and other expenses incurred in the
18 performance of his official duties, and each of the other members of the Board
19 shall receive the sum of ten (\$10.00) dollars for each day actually engaged
20 in the performance of his duties, and all legitimate and necessary expenses
21 incurred in attending the meetings of the Board and in conducting examina-
22 tions, which together with all other lawful expenses shall be paid from funds
23 appropriated therefor, as provided by law.

Sec. 3. Three members of the Board shall constitute a quorum. Meetings

2 of the Board shall be called by the Secretary upon the written request of the
3 President or any two members, by giving at least seven days' written notice of
4 such meetings to each member, counting from the day on which the notices are
5 post-marked, telegraphed or personally delivered.

6 The Board shall adopt rules and regulations for the examination of appli-
7 cants for license to practice Structural Engineering, in accordance with the
8 provisions of this Act, and may amend, modify, and repeal such rules and
9 regulations from time to time. The Board shall immediately upon the election
10 of each officer thereof, and upon the adoption, repeal or modification of its rules
11 of government or its rules and regulations of examinations of applicants for
12 licenses, file with the Secretary of State and publish at least twice in at least
13 one Engineering Journal of general circulation in the State of Illinois and in
14 one daily newspaper published in the State of Illinois, the name and address
15 of each officer, and a copy of such rules and regulations, or the amendments,
16 repeal or modification thereof.

Sec. 4. Provisions shall be made by the Board hereby constituted

2 for holding examinations at such place or places as shall be appointed by the
3 Board, and at least two in each year, of applicants for license to practice
4 structural engineering. Notice of the time and place of the holding of such
5 examinations shall be published in the same manner as is hereinbefore pro-
6 vided for the publication of the rules and regulations pertaining to such ex-
7 aminations adopted by the Board: *Provided* that the last day of such publica-
8 tion shall be at least twenty (20) days prior to the date of holding such ex-
9 aminations. Each applicant shall pay to the Secretary of the Board, in ad-
10 vance, a fee of twenty (\$20) dollars, and shall present his affidavit that he is of
11 the age of twenty-one years, or above. Such examinations shall be held by the
12 examiners as a body, a majority of whom shall constitute a quorum, or by a
13 committee of three or more members selected and appointed by the
14 Board. Examinations shall be conducted by written or printed in-
15 terrogatories.

Each applicant examined shall sustain a satisfactory examination in the design and construction of structures according to scientific principles and with special reference to strength and safety; the strength and properties of the various building materials; the principles of theoretical and applied mechanics; the ability of the applicant to apply his knowledge to the ordinary requirements of structural engineering; and in such other matters and subjects as the Board of Examiners may require as suitable to fairly and thoroughly test the competency of the applicant to practice structural engineering in this State.

Every applicant for a license, except those who apply by virtue of the provisions of section five (5) and six (6) of this Act, shall present to the Board of Examiners satisfactory proof, by affidavit, or otherwise, as the Board may direct:

(a) That at the time of the taking effect of this Act, he was actually engaged in the practice of structural engineering in this State as a principal and did not apply for a license under section five (5) of this Act, and in such case the applicant shall be entitled to an examination without regard to the number of years he has practiced. Or,

(b) That within ten years next prior to his application, he has practiced structural engineering as a principal in some state or territory of the United States, or in some foreign country, for not less than six years. Or,

(c) That within ten years next prior to his application, he has pursued a course of study and training in the theory and practice of structural engineering covering at least the subjects above specifically enumerated, for the period of not less than six years, in the employ or under the supervision, direction and tuition of one or more practicing structural engineers, during at least two full years of which period, every such applicant shall show that he has been in charge of work in designing or construction in the employ or under the direction of such engineer or engineers. Such applicants who have graduated from a

46 college or school of engineering considered by the Board to be in good standing
47 and requiring a course of study of not less than four years, during at least
48 thirty weeks in each year, shall be credited two years upon the six-year period
49 required above, the remaining four years to be pursued as hereinabove in this
50 paragraph provided. The Board in its discretion may adopt rules providing
51 for credit not exceeding two years on said six-year period to ap-
52 plicants who have pursued a course of instruction in schools or col-
53 leges of engineering approved by the Board, but who have not
54 graduated.

55 If the result of the examination of any applicant shall be satisfactory to a
56 majority of the Board, under its rules, the Secretary, upon an order of the
57 Board, and upon payment by said applicant of the further sum of Thirty (\$30)
58 dollars, shall issue to said applicant a license to practice structural engineering
59 in this State, in accordance with the provision of this Act, which license shall
60 contain the full name, birthplace, and age of the licensee, and shall be signed
61 by the President and Secretary and sealed with the seal of the Board.

62 All papers received by the Secretary in relation to applications for license,
63 shall be kept on file in his office, and proper index and record thereof shall be
64 kept by him.

65 Any fraudulent act or representation by any applicant in connection with
66 his application for examination, or for a license without examination, under
67 this Act, or during the conduct of his examination, shall be sufficient cause for
68 the withholding of the license by the Board of Examiners or for its revocation
69 after it has been issued.

Sec. 5. Any person who shall by affidavit or other proof as the Board
2 may direct, show to the satisfaction of the State Board of Examiners of Struc-
3 tural Engineers that he was a resident of and engaged in the practice of struc-
4 tural engineering in this State on the date of the taking effect of this Act, shall
5 be entitled to a license without examination, provided such application shall be
6 made within six months after the taking effect of this Act. Such license, when
7 granted, shall set forth the fact that the person to whom the same was issued
8 was practicing structural engineering in this State at the time of the taking

9 effect of this Act and is therefore entitled to the license to practice the profes-
10 sion of structural engineering without an examination by the Board of Examin-
11 ers, and the Secretary of the Board shall upon the payment to him by the ap-
12 plicant of a fee of fifty (\$50) dollars issue to the person named in same affi-
13 davit a license to practice structural engineering in this State in accordance
14 with the provisions of this Act.

Sec. 6. The State Board of Examiners may in its discretion, issue a li-
2 cense, without examination, upon payment of a fee of fifty (\$50) dollars, to a
3 structural engineer licensed under the laws of any other state or territory of
4 the United States, or any foreign country, provided it appear to the Board that
5 in the state or territory or country in which such license was issued, the re-
6 quirements for a license to practice structural engineering were equal to those
7 prescribed in this State, and that such state, territory or country accord a like
8 privilege to structural engineers who hold licenses issued under the provisions
9 of this Act.

Sec. 7. Every person holding a license to practice structural engineering
2 in this State shall have it recorded in the office of the Secretary of State and
3 the date of recording shall be endorsed thereon, and upon such recording said
4 license shall be of force and effect throughout the State. The Secretary of
5 State shall be entitled to receive a fee of \$1.00 for the recording of each license
6 filed for record. Until such license is recorded as herein provided, the holder
7 thereof shall not exercise any of the rights or privileges conferred therein and
8 thereby.

Sec. 8. Every licensed structural engineer shall have a seal, the impres-
2 sion of which must contain the name of the Structural Engineer, his place of
3 business, and the words, "Licensed Structural Engineer," "State of Illinois,"
4 with which he shall stamp all plans, drawings and specifications issued by him
5 for use in this State.

Sec. 9. No corporation shall be licensed to practice structural engineering,
2 but it shall be lawful for it to employ licensed structural engineers.

Sec. 10. Any person who shall be engaged in the designing or supervising
2 of the construction, enlargement or alteration of any structures, other than
3 buildings, as hereinafter defined, or any part thereof, for others, and to be
4 constructed by persons other than himself, shall be regarded as practicing
5 structural engineering within the meaning of this Act, and shall be held to com-
6 ply with the same. Structures within the meaning of this Act shall be construed
7 to mean all structures other than buildings having as essential structural feat-
8 ures, foundations, columns, girders, trusses, arches and beams, with or without
9 other parts, and in which safe design and construction requires that loads and
10 stresses must be computed and the size and strength of parts must be deter-
11 mined by mathematical calculations based upon scientific principles and en-
12 gineering data, and any person who shall be engaged as a principal in the
13 designing and supervision of the construction of structures or the structural
14 parts of structures designed solely for the generation of electricity, or for the
15 cleaning, sizing or storing of coal, cement, sand, gravel or similar materials,
16 blast furnaces, rolling mills, gas producers and reservoirs, smelters, and round-
17 houses for locomotives shall be considered as structural engineers within the
18 meaning of this Act, and shall be entitled to the benefits of these provisions,
19 even though such structures may come under the definition of "buildings" as
20 defined in "An Act to provide for the licensing of architects and regulating
21 the practice of architecture as a profession," approved June 3, 1897, in force
22 July 1, 1897, and all amendments thereto: *Provided, however,* that nothing
23 contained in this Act shall be construed to limit or abridge the rights, privil-
24 eges and duties of architects licensed to practice under the provisions of said
25 Act nor to modify, limit nor repeal any of the provisions of said Act: *And*
26 *provided, further,* that nothing contained in this Act shall prevent draftsmen,
27 students, clerks of work, superintendents and other employees of those legally

28 practicing as structural engineers under licenses as herein provided for from
 29 acting under the instruction, control or supervision of their employers, or shall
 30 prevent the employment of superintendents of construction paid by the owner
 31 from acting if under the control and direction of a licensed structural engi-
 32 neer who has prepared the drawings and specifications for the structure: *And*
 33 *provided, further,* that nothing contained in this Act shall be construed to pre-
 34 vent any person, mechanic or builder from making plans and specifications, or
 35 supervising the construction, enlargement or alteration of any structure or
 36 building which is to be constructed by himself or his employees, and for his
 37 own use.

Sec. 11. After six months from the taking effect of this Act, it shall be
 2 unlawful for any person to practice structural engineering without a license in
 3 this State, or to advertise, or to display a sign or card, or other device which
 4 indicates or represents that he is entitled to practice as a structural engineer
 5 in this State, and any person guilty of the violation of any of the provisions of
 6 this Act shall be punished by a fine of not less than ten (\$10) dollars nor more
 7 than two hundred (\$200) dollars, for each and every offense.

Sec. 12. Every licensed structural engineer in this State, who desires
 2 to continue the practice of his profession, shall annually, during the time he
 3 shall continue in such practice, pay to the Secretary of the Board during the
 4 month of July, a fee of ten (\$10) dollars, and the Secretary shall thereupon
 5 issue to such licensed structural engineer a certificate of renewal of his license
 6 for the term of one year. Failure by any licensed structural engineer to
 7 cause his license to be renewed during the month of July in each
 8 and every year, shall constitute valid grounds for the revocation of his li-
 9 cense. The failure to renew such license in apt time shall not deprive such struc-
 10 tural engineer of the right of renewal thereafter; but the fee to be paid upon the
 11 renewal of a license after the month of July shall be fifteen (\$15) dollars.

12 It shall be the duty of the Secretary of the Board to file with the Secretary

3 of State on the 15th days of February and August in each year certified lists
4 of all licenses then in force, upon the filing of each of which said lists, the
5 Secretary of State shall be entitled to receive a fee of \$1.00.

Sec. 13. Licenses issued in accordance with the provisions of this Act
2 shall remain in full force until revoked for cause, as hereinafter provided.
3 Any license so granted may be revoked by a four-fifths vote of the State Board
4 of Examiners for gross incompetency; or recklessness in the design and con-
5 struction of structures; or for fraudulently affixing his seal to plans,
6 drawings or specifications; or for any dishonest practice or practices on the
7 part of the holder thereof; or for fraud in obtaining his license; or practicing
8 without payment of the annual license renewal fee provided in section twelve
9 (12) of this Act; but before any license shall be revoked such holder shall be
10 entitled to at least twenty days' notice of the charge against him, and of the
11 time and place of the meeting of the Board for the hearing and determining
12 of such charge.

13 For the purpose of carrying out the provisions of this Act relating to the
14 revocation of licenses, the Board, and each member thereof, shall have the
15 power to administer oaths, and said Board shall have the power to secure by its
16 subpoena both the attendance and the testimony of witnesses, and the produc-
17 tion of books and papers, relevant to any investigation by the Board for the
18 purpose of carrying out the provisions of this Act, relating to the revocation
19 of licenses. Witnesses shall be entitled to the same fees and mileage as wit-
20 nesses in Court of Record, to be paid in like manner. The accused shall be
21 entitled to the subpoena of the Board for his witnesses, and to be heard in
22 person or by counsel in open public trial. Any Circuit Court of this State or
23 any judge thereof, either in term time or vacation, upon application of such
24 Board, may in its discretion by order duly entered by such court or judge
25 thereof, require the attendance of witnesses, the production of books and pa-
26 pers, and giving of testimony before such Board, and upon refusal or neglect

27 to so appear and testify and produce such books and papers as commanded by
28 such order of the court or judge thereof, may compel, by attachment or other-
29 wise, as provided by law, the attendance of such witnesses, the production of
30 such books, and papers and the giving of testimony before such Board, in the
31 same manner as production of evidence may be compelled before said court.
32 Every person who, having taken an oath or made affirmation before said Board,
33 shall wilfully swear or affirm falsely, shall be guilty of perjury and upon con-
34 viction shall be punished accordingly. It shall be the duty of the Secretary of
35 the Board to promptly give notice of all revocations of licenses to the Secre-
36 tary of State who shall make an entry thereof in his records.

Sec. 14. The State Board of Examiners shall have power to entertain and
2 grant for good cause shown, petitions to vacate its orders revoking licenses
3 and reinstate such petitioner to practice in this State, and to adopt rules and
4 regulations governing the requirements and hearing of such petitions: *Pro-*
5 *vided*, That at least one year shall intervene between the date of the entry of
6 the order revoking a license and the filing of such petition in cases involving
7 gross incompetency, recklessness, dishonest practices, or fraud. The Board in
8 its discretion may require petitioners whose licenses have been revoked for
9 gross incompetency or recklessness to submit to an examination by the Board
10 touching their professional qualifications and competency to practice, which
11 shall at least cover the subjects required of applicants for a license by examina-
12 tion. Such petitions shall briefly state the date **and** cause of revocation, the
13 grounds upon which petitioner seeks retirement, **and** such other facts as the
14 Board by its rules may prescribe, and shall be **verified** by the petitioner. The
15 Board in the hearing of such petitions shall, as near as may be, follow the prac-
16 tice required by this Act in relation to citations to revoke licenses. Any person
17 interested may appear and contest such petitions. A majority vote of the Board
18 shall be sufficient to reinstate such petitioners to practice.

19 Every petitioner shall pay to the Secretary of the Board, in advance, upon
20 the filing of his petition, a fee of ten (\$10) dollars.

21 It shall be the duty of the Secretary of the Board to promptly notify the
22 Secretary of State of the reinstatement of any such applicant and the Secre-
23 tary of State shall note the same on his records accordingly.

 Sec. 15. It shall be the duty of the Secretary of the Examining Board to
2 file at the close of each fiscal year with the Auditor of Public Accounts of the
3 State of Illinois, a full annual report of the proceedings of the Board, includ-
4 ing a statement of all funds received and disbursed, and he shall also pay
5 over to the State Treasurer of the State of Illinois, quarterly, all license fees
6 and renewal and other fees collected by him during the preceding quarter and
7 take his receipt therefor. Said report shall be attested by the affidavits of the
8 President and Secretary.

 Sec. 16. All Acts or parts of Acts inconsistent herewith are hereby re-
2 pealed.



- 1 Introduced by Mr. Buxton, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act concerning land titles," approved and in force May 1, 1897, as amended by subsequent Acts, by amending section one hundred and ten (110) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act concern-
3 ing land titles, approved and in force May 1, 1897, as amended by subsequent
4 Acts, be, and the same is hereby, amended by amending section one hundred
5 and ten (110) thereof, so that said section when amended shall read as follows:

Sec. 110. The provisions of this Act shall not apply to land in any county
2 until this Act shall have been adopted by a vote of the people of the county at an
3 election to be held on the Tuesday next after the first Monday in November or
4 the first Tuesday in April or any election for the election of judges of the year
5 in which the question is submitted.

6 The question may be submitted *in any county upon the petition of five per*
7 *cent of the legal voters of such county,* to be ascertained by the vote cast at the
8 last preceding election for county officers, praying the submission of the ques-

tion of the adoption of this Act: *Provided, however, that in no county shall a*
petition be required from more than twenty-five hundred (2500) legal voters of
such county. Upon the filing of such petition with the county clerk of any county,
said county clerk shall give notice that such question will be submitted at such
election and shall cause to be printed at the top of the ballots to be used for said
election:

For the Torrens Land Title System	
Against the Torrens Land Title System	

The votes cast upon that question shall be counted, canvassed and returned
as in the case of the election of county officers. If the majority of the votes cast
on that subject shall be for the Torrens Land Title System, this Act shall there-
after be in force and apply to lands in that county.



- 1 Introduced by Mr. Scholes, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended, commonly known as the criminal code, by amending section 204, as the same is numbered in said criminal code.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to criminal jurisprudence," approved March 27, 1874, in force
4 July 1, 1874, as subsequently amended, be and the same is hereby amended by
5 amending section 204 as the same is numbered in said criminal code and pub-
6 lished in Hurd's Statutes of 1913, said section to read when amended as follows:

Sec. 204. Whoever willfully and maliciously takes, drives, rides or uses
2 any horse, ox or other draught animal, or takes or uses any vehicle or boat, the
3 property of another, without the consent of the owner or person having legal
4 custody, care and control of the same *or whoever hires any horses, ox or other*
5 *draught animal or any vehicle or boat, the property of another from the owner*
6 *or person having legal custody, care or control of the property and fails to return*

7 *the same, for the purpose or with the intent of defrauding said owner or person*
8 *having legal custody, care or control of the property so hired or rented out of a*
9 *fee or compensation for such hiring or rent,* shall be fined not exceeding \$300, or
10 be confined in the county jail not exceeding one year. But the provisions of this
11 section shall not apply to any case of taking the property of another with intent
12 to steal the same.

- 1 Introduced by Mr. Scholes, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend section five (5) of an Act entitled, "An Act concerning masters in chancery," approved April 4, 1872, in force July 1, 1872, as amended by an Act approved April 29, 1873, in force July 1, 1873, and as amended by an Act Approved May 29, 1891, and in force July 1, 1891.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section five (5) of an Act entitled, "An Act concerning masters in chancery," approved April 4, 1872, in force July 1, 1872, as amended by an Act approved April 29, 1873, in force July 1, 1873, and as amended by an Act approved May 29, 1891, and in force July 1, 1891, be, and the same is hereby amended to read as follows:

Sec. 5. Whenever it shall happen that there is no master in chancery in any county, or when such master shall be of counsel or of kin to either party interested, or otherwise disqualified or unable to act in any suit or matter, the court may appoint a special master to perform the duties of the office in all

11 things concerning such suit or matter, and every special master in chancery so
12 appointed, before entering on the duties of his appointment, shall give bond, with
13 security, to be approved by the court, and take and subscribe an oath of office.
14 in such suit or matter, which bond and oath shall be filed with the clerk of the
15 court making the appointment, and spread upon the records thereof.”

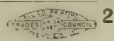
- 1 Introduced by Mr. Shurtleff, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act entitled, "An Act making an appropriation for the Illinois Dairymen's Association."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of twenty-five hundred
3 (\$2,500.00) dollars per annum for the years 1915 and 1916 be, and the same is
4 hereby appropriated to the said Dairymen's Association, being its necessary
5 expenses in advancing the growth and developing the interests of the dairy in-
6 dustry in the State of Illinois.

Sec. 2. The Auditor of Public Accounts is hereby authorized to draw his
2 warrant upon the State Treasurer for the sum specified in this Act on bills
3 of particulars certified to by the officials of said Dairymen's Association to the
4 order of the president of said association and the State Treasurer shall pay
5 the same out of any funds in the treasury not otherwise appropriated.



- 1 Introduced by Mr. Wood, April 7, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by subsequent Acts, by adding a new section thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly: That an Act entitled, "An Act concern-*
3 *ing local improvements," approved June 14, 1897, in force July 1, 1897, as*
4 *heretofore amended, be and the same is hereby amended by adding thereto a*
5 *new section to be known as section 76a, such new section to read as follows:*

6 *Sec. 76a. The successful bidder for the construction of such improvement*
7 *shall be required to enter into bond in a sum equal to the amount of such bid*
8 *with surteies to be approved by the president of the board of local improvements,*
9 *and filed with the city clerk, when entering into the contract for the construc-*
10 *tion of such improvement, which bond shall provide that the contractor shall*
11 *well and faithfully perform and execute said work in all respects according to*
12 *the complete and detailed specifications, and full and complete drawings, pro-*
13 *files and models therefor, and according to the time, and terms and conditions*

14 of the contract, and also, that such bidder and contractor shall promptly pay all
15 debts incurred by such bidder or contractor in the prosecution of such work, in-
16 cluding those for labor, materials furnished, and for boarding the laborers
17 thereon, and suit may be brought on such bond in case of default, or failure to
18 pay such debts promptly, by and in the name of the city for all damages sus-
19 tained either by the city or by any person or party interested or for the damages
20 sustained by the city and all parties in interest; or by any beneficiary or party
21 interested, in the name of the city for the use of the party intersted as benfi-
22 cial plaintiff, to rcover for such labor, board and materials furnished. Provided,
23 costs shall in no case be adjudged against the city in any suit brought by any
24 party in interest wherein the city is the nominal, but not the beneficial plaintiff.
25 in advertising for bids or proposals for the construction of such improvement,
26 the Board of Local Improvements shall give notice that such bond will be re-
27 quired, and all bids or proposals shall contain an offer to furnish such bond
28 upon the acceptance of such bid or proposal.



- 1 Introduced by Committee on Judicial Department and Practice (substitute for
House Bill No. 90), April 8, 1915.
- 2 Taken up, read at large a first time, ordered printed and to a second reading.

A BILL

For an Act in relation to actions in equity.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly, as follows:* POWER OF COURTS OF EQUITY AS
3 TO PROCEDURE.] The several courts of this State which may have jurisdiction of
4 actions in equity shall have power to proceed therein according to the mode here-
5 inafter prescribed, or, where no provision is made by this act, according to such
6 rules as may be adopted in accordance with the provisions of this
7 act, or, where no provision is made by this act or by said rules, in accordance, as
8 near as may be, with the general usage and practice heretofore prevailing in
9 courts of equity.

Sec. 2. RULES—JUDICIAL NOTICE.] The judges of the Supreme Court, or a
2 majority of them, may adopt all rules regulating the practice in actions in
3 equity in courts of original jurisdiction which they may deem needful and which
4 may not be inconsistent with this Act as to any matter of substance, and the
5 judges, or a majority of them, of the several courts of record of original juris-
6 diction may adopt such further rules regulating the practice in actions in equity

7 in their respective courts which they may deem needful and which may not be
 8 inconsistent with this Act as to any matter of substance, or with the rules adopt-
 9 ed by the Supreme Court. All courts of this State shall take judicial notice
 10 of the rules so adopted.

Sec. 3. COURTS TO BE ALWAYS OPEN.] Every court of this State which may
 2 have jurisdiction of actions in equity shall be deemed always open for the trans-
 3 action of business pertaining to such actions.

Sec. 4. WHERE ACTIONS TO BE COMMENCED.] Excepting as may be otherwise
 2 provided by law, every action in equity shall be commenced in the county where
 3 the defendants, or some one or more of them, resides; or, if the defendants are
 4 all non-residents, then in any county; or, if the action may affect real estate, in
 5 the county where the same or some part thereof is situated; or, if the action be
 6 one to stay proceedings at law, it shall be brought in the county in which the
 7 proceedings at law are had.

Sec. 5. MODE OF COMMENCING ACTION.] An action in equity shall be com-
 2 menced by the filing, with the clerk of the proper court, of a bill of complaint
 3 which shall set forth the nature of the plaintiff's cause or causes of action and
 4 which shall be framed in accordance with the rules hereinafter specified.

Sec. 6. ACTION BY OR AGAINST PERSON UNDER DISABILITY.] An action in equity
 2 may be commenced and prosecuted by an infant, either by guardian or next
 3 friend, and by a conservator on behalf of the person he represents. In any
 4 action in equity it shall be lawful for the court in which the same is pending to
 5 appoint a guardian *ad litem* for any infant or insane defendant in such action and
 6 to compel the person so appointed to act. By such appointment such person shall
 7 not be rendered liable to pay costs of action; and he shall, moreover, be allowed
 8 a reasonable sum for his charges as such guardian, to be fixed by the court and
 9 taxed as costs in the action.

Sec. 7. ACTIONS AGAINST UNKNOWN OWNERS, ETC.—AFFIDAVIT—NOTICE.] In

any action in equity, if there be persons interested in the same whose names are unknown, and whose names cannot after due inquiry be ascertained, it shall be lawful to make such persons parties thereto by the name and description of unknown owners, or unknown heirs or devisees of any deceased person who may have been interested in the subject-matter of the action previous to his or her death; but in all such cases an affidavit shall be filed by the party desiring to make any unknown person a party stating that the names of such persons are unknown and that their names cannot after due inquiry be ascertained, and process shall be issued against all parties by the name and description given as aforesaid; and notices given by publication as is required in this Act shall be sufficient to authorize the court to hear and determine the action as if all parties had been sued by their proper names: *Provided, however,* that nothing herein contained shall be construed as requiring the filing by the party desiring to make any unknown person a party of any other affidavit than the one in this section provided for.

Sec. 8. SUMMONS AND SERVICE THEREOF.] Upon the filing of every bill the

clerk of the court shall issue and deliver to the plaintiff a summons to the defendant commanding him to appear in person or by attorney at the place of holding such court and file his answer or other defense to the action on the twentieth day after such summons shall have been served upon him, excluding the day of such service. Such summons shall specify the court in which the action is pending, the names of the parties thereto, and shall be issued under the seal of the court, attested in the name of the clerk thereof, dated on the day it shall be issued and signed with his name, and shall be returnable into the clerk's office within twenty days after its issuance. Whenever the plaintiff shall so request, the clerk shall issue as many such summonses as the plaintiff shall specify, not exceeding by more than three the number of defendants to be summoned, each of which shall have the force and effect of an original summons. In case any summons shall not be returned served upon the defendant within twenty days after

15 the issuance thereof an alias summons may be issued and a subsequent pluries
16 summons may be issued in any case when the previous alias or pluries summons
17 shall not have been returned served upon the defendant within twenty days after
18 the issuance thereof. Service of any summons shall be made by delivering a
19 copy or one of the originals thereof to the defendant, or leaving such copy at
20 his usual place of abode with some person of the family of the age of fifteen years
21 or upwards, and informing such person of the contents thereof, or, in case the
22 defendant is a corporation, whether a private or a public or municipal corpora-
23 tion, or a receiver of a corporation, or a trustee operating a railway, by leaving
24 such copy with any person upon whom, under any provision of law, service of
25 process may be allowed in any action brought against such corporation, receiver
26 or trustee, or, in default of any provision of law with respect thereto, with such
27 person as the court may by rule prescribe. Such service may be made by any
28 sheriff, deputy sheriff, coroner or deputy coroner, or by any person over the age
29 of twenty-one years not a party to the action. When service is made by one of
30 the aforesaid officers the same shall be evidenced by his return endorsed thereon,
31 and when the same is made by any person who is not such an officer such service
32 shall be proven by the affidavit of such person indorsed thereon, which affidavit
33 shall state the name, place of residence, age and occupation of the person mak-
34 ing such service and the date, place and manner of such service. When any de-
35 fendant is an infant, a lunatic, or otherwise under disability, the court may, in its
36 discretion, by special order, direct service of the summons to be made upon such
37 defendant in such manner as the court may deem proper. The officer or other
38 person serving any such summons shall, at the time of such service, likewise de-
39 liver to the person served a copy of the plaintiff's bill of complaint, such copy to
39½ be furnished to the officer by the plaintiff, if service is made by an officer: *Provid-*
40 *ed, however,* that in any action in which there are more than two defendants it
41 shall be sufficient to deliver a copy of the bill to two defendants only, but in such
42 case, when any defendant or group of defendants to whom no such copy has been
43 delivered shall demand of the plaintiff or of his solicitor a copy of such bill, the
44 plaintiff or his solicitor shall deliver to such defendant or group of defendants a
45 copy thereof without charge. At the time of the delivery to the defendant, or

46 other person for him as above provided, of the summons or copy thereof, the
47 officer or other person serving the same shall endorse upon such summons or
48 copy a memorandum specifying the date of such service and the date on or before
49 which the defendant is required to file his answer or other defense. The court
50 may also, by special order in any action or by general rule, enlarge
51 the time within which the defendant is required to appear and file his answer or
52 other defense to the action, in which case the summons shall specify such time in
53 accordance with such order or rule. In actions in which public interests are in-
54 volved the Supreme Court may also, by rule, provide for shortening the time
55 within which the defendant is required to appear and file his answer or other
56 defense to the action. Service of a summons by any person other than one of
57 the officers above mentioned may, in the discretion of the Supreme Court be
58 regulated by rules thereof, and service by any person other than one of said
59 officers shall not be made of a summons issued out of any court of record until
60 the adoption by the Supreme Court of a rule or rules regulating such service.

Sec. 9. NOTICE BY PUBLICATION, ETC.] Whenever any plaintiff or his attorney
2 shall file in the office of the clerk of the court in which his action is pending an
3 affidavit showing that any defendant resides or has gone out of the State, or on
4 due inquiry cannot be found, or is concealed within this State so that process
5 cannot be served upon him, and stating the place of residence of such defendant,
6 if known, or that upon diligent inquiry his place of residence cannot be ascer-
7 tained, the clerk shall cause publication to be made in some newspaper in his
8 county, and if there be no newspaper published in his county, then in the nearest
9 newspaper published in this State, containing notice of the pendency of the action
10 and the names of the parties thereto, and specifying the court in which the action
11 is pending and the time and place when and where the defendant is required to
12 appear and file his answer or defense to the action, which shall be some day to
13 be specified by the plaintiff and shall be not less than forty days nor more than
14 sixty days from the first publication of the notice, and shall also, within ten days
15 of the first publication of such notice, send a copy thereof by mail, addressed to
16 such defendant whose place of residence is stated in such affidavit. The certifi-

cate of the clerk that he has sent such notice in pursuance of this section shall be evidence. Such notice may be given at any time after the commencement of the action and shall be published at least once in each week for four successive weeks and no default or proceeding shall be taken against any defendant not served with summons and not appearing, unless he shall have failed to file his answer or other defense on or before the day thus specified in the notice.

Sec. 10. SERVICE OF SUMMONS WITHOUT THE STATE.] Service of any summons may likewise be made in any action in which notice by publication may be given as provided by this act by service thereof at any place without the State, such service to be made in the same manner and upon the same person or persons as if made within this State: *Provided, however,* that no person served with summons beyond the limits of this State shall be required to enter his appearance until the lapse of thirty days after such service: *And, provided, further,* that the copy of the summons delivered to the person served in any such case shall have attached thereto a copy of the plaintiff's bill of complaint. When the person thus served is, at the time of such service, a resident of this State and his absence therefrom is but temporary, he shall be bound by any order or decree entered in the action to the same extent, and such order or decree may be enforced against him individually or against any of his property in this State in like manner, as if such summons had been served within this State.

Sec. 11. FILING OF DEFENSE.] It shall be the duty of the defendant, unless the court by special order or by general rule shall extend the time therefor, to file his answer or other defense to the bill in the office of the clerk of the court within the time required by law and as shown by the summons, and in default thereof the plaintiff may, at his election, secure an order of the court that the bill be taken *pro confesso* and thereupon the cause shall be proceeded in *ex parte*.

Sec. 12. WHEN DECREE PRO CONFESSO VACATED.] If, at any time within sixty days after the bill shall have been taken *pro confesso*, the defendant shall appear and offer to file his answer to the bill, the court may permit him to do so upon his showing sufficient cause and paying the costs theretofore incurred by the

5 plaintiff in the action, or such part thereof as the court shall deem reasonable,
6 and submit to such other terms as the court shall direct for the purpose of speed-
7 ing the cause.

Sec. 13. PROOF ON BILL CONFESSED.] Where the bill is taken for confessed,
2 the court, before a final decree is made, if deemed requisite, may require the
3 plaintiff to produce documents and witnesses to prove the allegations of his bill
4 or may examine him on oath or affirmation touching the facts therein alleged and
5 such decree shall be made in either case as the court shall consider equitable and
6 proper.

Sec. 14. SETTING ASIDE DECREE AGAINST PARTY NOT SUMMONED, ETC.] When
2 any final decree shall be entered against any defendant who shall not have been
3 summoned or been served with a copy of the bill, or received the notice required
4 to be sent him by mail, and such person, his heirs, devisees, executor, adminis-
5 trator or legal representatives, as the case may require, shall, within one year
6 after notice in writing given him of such decree, or within three years after such
7 decree, if no such notice shall have been given as aforesaid, appear in open court
8 and petition to be heard touching the matter of such decree, and shall pay such
9 costs as the court shall deem reasonable in that behalf, the person so petitioning
10 may appear and answer the plaintiff's bill and thereupon such proceedings shall
11 be had as if the defendant had appeared in due season and no decree had been
12 made; and if it shall appear upon the hearing that such decree ought not to have
13 been made against such defendant, the same may be set aside, altered or amend-
14 ed as shall appear just; otherwise the same shall be ordered to stand confirmed
15 against said defendant. The decree shall, after three years from the making
16 thereof, if not set aside in the manner aforesaid, be deemed and adjudged con-
17 firmed against such defendant and all persons claiming under him by virtue of
18 any act done subsequent to the commencement of such action; and at the end
19 of the said three years the court may make such further order in the premises
20 as shall be required to carry the same into effect.

Sec. 15. PLEADINGS—HOW FRAMED. | The pleadings in an action in equity.

2 excepting when some person not made a party thereto by the plaintiff or de-
 3 fendant shall, by leave of court, become an intervener therein, shall be limited to
 4 the bill, the answer and the reply, demurrers, exceptions and pleas being hereby
 5 abolished. Every pleading shall specify in its caption the name of the court in
 6 which the action is brought and the names of the parties thereto, excepting that
 7 when there is more than one party plaintiff or defendant a pleading subsequent
 8 to the bill need only specify in the caption the name of the first party plaintiff or
 9 defendant, as the case may be, with the usual indication by the abbreviated form
 10 “et al” that there are additional parties to the action, and shall contain an in-
 11 troduction stating that the plaintiff brings his action in equity against the defend-
 12 ant, or that the defendant answers the plaintiff’s bill, or that the plaintiff replies
 13 to the defendant’s answer, as the case may be, and thereafter a narrative in a
 14 summary form of the material and ultimate facts upon which the party relies to
 15 support his cause of action, defense or reply, and shall be divided into para-
 16 graphs numbered consecutively, each paragraph to contain, as nearly as may be,
 17 a separate and distinct allegation. In the framing of a pleading the following
 18 additional rules shall be observed:

19 *First.* Its language shall be as brief and concise as is consistent with the
 20 understanding by the court of the cause of action, defense or reply of the party
 21 pleading, and to that end it shall be liberally construed in such party’s favor.

22 *Second.* It shall not contain any recital of matters of evidence or of matters
 23 of law.

24 *Third.* It need not state facts which the law presumes in favor of the party
 25 pleading, or as to which the burden of proof lies upon the opposite party.

26 *Fourth.* It need not set forth any offer in the nature of an offer on the part
 27 of the party pleading to do equity on his part in case he shall be granted the
 28 relief he seeks; but such offer shall be presumed from the filing of the pleading.

29 *Fifth.* Any condition precedent, the performance or occurrence of which
 30 is intended to be contested, shall be distinctly specified in his pleading by the
 31 plaintiff or defendant, as the case may be, and, subject thereto, an averment of

the performance or concurrence of all conditions precedent necessary for the case of the plaintiff or defendant shall be implied in his pleading.

Sixth. It shall be sufficient to state conclusions in lieu of setting forth the facts from which such conclusions are to be deduced, excepting that a charge of invalidity, misrepresentation, fraud, undue influence, accident, mistake or wilful default shall be accompanied by a statement of the facts relied upon by the party pleading to constitute such invalidity, misrepresentation, fraud, undue influence, accident, mistake or wilful default.

Seventh. Whenever the contents of any document are material, it shall be sufficient in any pleadings to state the effect thereof as briefly as possible, without setting out the whole or any part thereof, unless the precise words of the document or any part thereof are material.

Eighth. No answer shall contain any general denial of the allegations of the bill, but shall specifically admit or deny or explain the facts upon which the plaintiff relies, unless the defendant is without knowledge with respect to such facts, and cannot by reasonable diligence secure knowledge in reference thereto, in which case he shall so state in his answer and such statement shall operate as a denial: *Provided, however,* that any allegation in the bill, other than one of value or amount of damage, if not denied in the answer, shall be deemed confessed except as against an infant, lunatic or other person *non compos* and not under guardianship; but the court shall have power upon reasonable notice to allow such an amendment of an answer as to put any allegation at issue when justice so requires.

Ninth. When a party in any pleading denies an allegation of fact in the previous pleading of the opposite party, he must not do so evasively, but must answer the point of substance; as, for instance, if it be alleged that he received a certain sum of money, it shall not be sufficient to deny that he received that particular amount, but he must deny that he received that sum or any part thereof, or else set out how much he received, and if an allegation

63 is made with divers circumstances, it shall not be sufficient to deny
64 it along with the circumstances.

65 *Tenth.* An answer may state as many defenses in the alterna-
66 tive, regardless of consistency, as the defendant deems essential to his
67 defense.

68 *Eleventh.* An answer may set up any cross-claim which the defendant may
69 have against the plaintiff and which might be the subject of an independent ac-
70 tion, either at law or in equity, and such cross-claim so set up shall have the same
71 effect as a cross-action so as to enable the court to pronounce a final judgment
72 in the same action both on the original and cross-claims. The statement of a
73 cross-claim so set up shall be governed by the same rules applicable to the state-
74 ment of a claim set forth in a bill. The term "cross-claim" as used in this act
75 shall include any set-off or counter claim.

76 *Twelfth.* Every bill, as well as every answer which sets up a cross-claim,
77 shall pray specifically, but as far as may be practicable by the use of abbreviated
78 forms, the meaning of which may be readily understood by the court, for the re-
79 lief to which the pleader may conceive himself entitled and also for general re-
80 lief, and the prayer shall be divided into paragraphs numbered consecutively,
81 each praying, as near as may be, separate relief.

82 *Thirteenth.* When an answer sets up a cross-claim against any person not
83 already made a party to the action, or not served with summons therein, a sum-
84 mons may be issued and served upon him or he may be notified by publication of
85 notice in the same manner, as near as may be, as is provided by this act with
86 respect to a person named as defendant to a bill.

87 *Fourteenth.* No pleading shall contain any prayer for process, but such pro-
88 cess shall be issued or such notice shall be given to the opposite party as may
89 be required by the pleader by a note at the foot of his pleading.

Sec. 16. REPLY—WHEN REQUIRED—WHEN CAUSE AT ISSUE.] Unless the an-
2 swer assert a cross-claim no reply shall be required without a special order of
3 the court; but the cause shall be deemed at issue upon the filing of the
4 answer and any new or affirmative matter therein shall be deemed to be denied by

5 the plaintiff. If the answer include a cross-claim, the party against whom it is
6 asserted shall reply within such time as may be fixed by the court by special order
7 or general rule. If the cross-claim affects the rights of other defendants who
8 have been served with summons in the action, such defendants or their solicitors
9 shall be served with a copy of the answer and shall be bound to file a reply
10 thereto within ten days after such service, or within such time thereafter as the
11 court, by special order or general rule, may require. In default of a reply to
12 any such answer by any party required to reply to the same within the time
13 within which he is required to make such reply, a decree *pro confesso* on the cross-
14 claim may be entered as in case of default in the filing of an answer to the bill.
15 When for the proper determination of any cross-claim it shall be necessary to
16 bring before the court persons not made parties to the bill, or defendants to the
17 bill who have not been summoned, the answer may direct the issuance of sum-
18 mons or the publication of notice to such persons, and in such case the rules ap-
19 plicable to the issuance of a summons or the publication of a notice to a defend-
20 ant to the bill shall be applicable, as near as may be.

Sec. 17. AMENDED OR SUPPLEMENTAL PLEADING—OTHER AMENDMENTS.] Upon
2 application of either party the court may, upon reasonable notice and
3 upon such terms as the court may deem just, permit him to amend his
4 pleadings, or to file a supplemental pleading alleging material facts occurring
5 after his former pleading or of which he was ignorant when it was made, in-
6 cluding the judgment or decree of a competent court rendered after the com-
7 mencement of the action determining the matters in controversy or a part there-
8 of. The court may also, at any time, in furtherance of justice, upon such terms
9 as may be just, permit the amendment of any other paper filed in the action, or
10 the amendment of any process, or of any record entry, and any such amendment
11 may likewise be permitted by any court to which the action may be removed by
12 appeal, writ of error or writ of certiorari: *Provided, however,* that amendments
13 made in the appellate and Supreme courts shall be subject to such rules as may be
14 prescribed by the Supreme court with reference thereto.

Sec. 18. ANSWER TO AMENDED OR SUPPLEMENTAL BILL.] In every case where an
 2 amendment to the bill shall be made, or a supplemental bill shall be filed, after
 3 answer filed, the defendant shall put in a new or supplemental answer within
 4 such time after the filing of the amendment or supplemental bill as the court may
 5 direct by special order or general rule, unless the time therefor is enlarged by
 6 the court, or unless the defendant shall obtain an order that his previous answer
 7 stand as his answer to such amended or supplemental bill, and upon his default
 8 the like proceedings may be had as in case of an omission to put in an answer.

Sec. 19. REPLY TO AMENDED OR SUPPLEMENTAL ANSWER.] In every case where
 2 an amendment to the answer shall be made, or a supplemental answer shall be
 3 filed, after a reply has been filed, the answer being one to which the opposite par-
 4 ty is required to reply, such party shall put in a new or supplemental reply with-
 5 in such time after the filing of the amended or supplemental answer as the court
 6 may require by special order or general rule, unless the time is enlarged by the
 7 court, or unless such party shall obtain an order that his previous reply stand
 8 as his reply to such amended or supplemental answer, and upon his default the
 9 like proceedings may be had as in case of an omission to put in a reply.

Sec. 20. INTERVENTION.] Any person not made a party to the action, if he
 2 claim an interest in the matters, or any of them, being litigated therein, may,
 3 in the discretion of the court, be permitted to intervene therein by filing an in-
 4 tervener's claim and may obtain such relief in the action as he may be entitled
 5 to. Any such intervener's claim shall be framed in accordance, as nearly as may
 6 be, with the rules prescribed by this act for the framing of a bill, or a cross-claim
 7 set up in an answer, and the same may be dealt with by the court in such man-
 8 ner as the court may deem proper for the adjudication thereof.

Sec. 21. ADEQUATE REMEDY AT LAW NOT GOOD OBJECTION.] It shall not be a
 2 good objection to a bill, or to an answer presenting a cross-claim or cross-
 3 claims, that the matters therein sought to be litigated, or some one or more of
 4 them, are matters with respect to which the plaintiff has a full, adequate and
 5 complete remedy at law; but as to any such matters the defendant, or the plain-

6 tiff, as the case may be, shall be entitled to a trial by jury of the issues of fact
7 presented with respect to such matters, if, at the time he files his defense to the
8 bill or to the cross-claim, as the case may be, he files with the clerk a demand in
9 writing of a trial by jury, and in such cases the court may order the pleadings to
10 be reformed and the action to proceed as an action at law.

Sec. 22. JOINDER OF CAUSES OF ACTION.] The plaintiff may unite in the same
2 bill, or the defendant may unite in the same answer, as many different claims,
3 whether they be of an equitable or legal nature, as in his opinion may be conven-
4 iently and expeditiously litigated in one action, subject to the right of any de-
5 fendant or plaintiff, as the case may be, to apply to the court, as hereinafter pro-
6 vided, for a division of the action or cross-claims into separate actions or
7 cross-claims, or for the separate trials of any such causes of action as, in the
8 opinion of the court, cannot be conveniently and expeditiously tried and disposed
9 of jointly with other causes of action. When any party to an action shall object
10 to the court that claims have been improperly joined therein the court, if it be of
11 the opinion that such objection is well founded, shall not on that account dis-
12 miss the bill, or dismiss or strike out the cross-claim, but may either require the
13 bill or answer to be limited to such of the claims as may be properly joined,
14 or may direct separate trials of claims which cannot be conveniently tried to-
15 gether, or it may order that the action be divided into as many separate actions
16 as the case may require.

Sec. 23. NON-JOINDER—MISJOINDER ACTION AGAINST WRONG PERSON.] When-
2 ever in any action the plaintiff shall fail to join as plaintiffs or defendants,
3 as the case may be, all persons who ought to be joined as such plaintiffs or de-
4 fendants, the court may, upon motion of any defendant made prior to the final
5 hearing of the action, require the plaintiff to join all such necessary parties as
6 plaintiffs or defendants, as the case may be, or, in case no such motion is made,
7 may, upon the final hearing, enter such decree as may be proper as between the
8 parties before the court and as may be entered in the absence of the other par-
9 ties, or the court may, of its own motion, at any time, order such other parties

10 to be brought before the court. No action shall be defeated by reason of the
 11 misjoinder or non-joinder of parties, and the court may in every action deal
 12 with the matters in controversy so far as regards the rights and interests of
 13 the parties actually before it. When an action has been commenced in the
 14 name of the wrong person as plaintiff or against the wrong person as defend-
 15 ant, or when it is doubtful whether it has been commenced in the name of the
 16 right plaintiff or against the right defendant, the court, if satisfied it has been
 17 so commenced through a *bona fide* mistake and that it is necessary for the de-
 18 termination of the real matter in dispute so to do, may order any other person
 19 to be substituted or added as plaintiff or defendant upon such terms as may
 20 be just.

Sec. 24. DEFENSES HERETOFORE MADE BY DEMURRER OR PLEA—HOW AVAILED OF.]

2 Every defense in point of law arising upon the face of the bill, which might here-
 3 tofore have been made by demurrer or plea, shall be made by motion to dismiss,
 4 or shall be set up in the answer; and every such point of law going to the whole
 5 or a material part of the cause or causes of action stated in the bill may be called
 6 up and disposed of before final hearing at the discretion of the court. Every de-
 7 fense in point of law arising upon the face of a cross-claim set up in an answer
 8 shall be made by motion to dismiss such cross-claim or to strike it from the an-
 9 swer, or shall be set up in the reply, and every such point of law going to the
 10 whole or a material part of any cross-claim so set up in the answer may be called
 11 up and disposed of before final hearing, at the discretion of the court. Every
 12 defense heretofore presentable by plea in bar or abatement shall be made in the
 13 answer, or, in the case of a cross-claim set up in the answer, by the reply, and
 14 may be separately heard and disposed of before the trial of the principal case
 15 in the discretion of the court.

Sec. 25. FURTHER AND BETTER STATEMENT OF CLAIM OR DEFENSE.] The court

2 may, upon application made therefor after the filing of any pleading, order the
 3 party filing such pleading to make a further and better statement of his claim
 4 or defense, or to furnish the opposite party further particulars, if the court

5 shall be satisfied from such application that such further and better statement
6 is or such further particulars are necessary to enable the party applying there-
7 for to properly prosecute or defend the action.

Sec. 26. REDUNDANT, IMPERTINENT OR SCANDALOUS MATTER.] The court may,
2 upon the application of any party to the action, or of its own motion, order that
3 any redundant, impertinent or scandalous matter be stricken from any pleading,
4 or other paper filed in the action, upon such terms as the court shall deem just.

Sec. 27. PRELIMINARY DECISION OF POINT OF LAW OR QUESTION OF FACT.] When-
2 ever it shall be made to appear to the satisfaction of the court that the determin-
3 ation of a question of law or a question of fact prior to the final hearing of the
4 action will finally determine the rights of the parties, or will be conducive to a
5 more speedy and satisfactory determination of the action, the court may, in its
6 discretion, hear and dispose of such question of law or fact prior to the final
7 hearing, and may enter such order with respect thereto as the court may deem
8 just and right.

Sec. 28. THE COURT MAY GRANT COMPLETE RELIEF—DECLARATIONS OF RIGHT.]
2 In every action in equity the court may grant to the respective parties all such
3 relief as they may appear to be entitled to, whether the same be of an equitable
4 or of a legal nature, and the court may also upon application therefor, make
5 binding declarations of right whether any consequential relief is or could be
6 claimed, or not, and whether such declaration of right involves the determin-
7 ation of a question of law or a question of fact, or a question of both law and
8 fact.

Sec. 29. TO WHAT EXTENT DECREE IN EQUITY RES ADJUDICATA.] No decree here-
2 after entered in any action in equity shall be deemed or treated as an adjudica-
3 tion with respect to any matter not actually adjudicated in such action.

Sec. 30. VERIFICATION OF PLEADINGS—ANSWERS TO INTERROGATORIES.] Any
2 party to the action may, if he so elect, verify his pleading by an affidavit upon
3 information and belief, such affidavit to be made by such party, or any agent or

4 attorney of such party having knowledge of the facts, and in such case he shall
 5 be entitled, by a note at the foot of his pleading, to require the opposite party to
 6 verify his pleading subsequent thereto in like manner, but no affidavit verifying
 7 any pleading, nor any answer to any interrogatory propounded in pursuance of
 8 this act, shall be evidence in favor of the party in whose behalf such affidavit is
 9 made, or by whom or in whose behalf such interrogatory is answered, unless the
 10 same is introduced in evidence by the opposite party, nor then to any greater
 11 extent than if such party had testified as a witness in his own behalf upon the
 12 hearing of the action.

Sec. 31. MOTIONS.] Every motion relating to the pleadings shall be in writ-
 2 ing, shall state particularly the ground or grounds thereof, and shall be filed in
 3 the cause, and, when so filed, shall constitute a part of the record of the action.
 4 When such motion is a motion to dismiss the action, or strike out a claim, cross-
 5 claim or any portion of a pleading, and is based upon the ground that the plead-
 6 ing, or portion thereof, brought in question is insufficient in law to constitute a
 7 cause of action or defense, it shall not be admissible to allege, in general terms,
 8 such insufficiency, but it shall be necessary to set forth in what particulars such
 9 pleading or portion thereof is insufficient in law.

Sec. 32. DISCOVERY BY INTERROGATORIES—INSPECTION AND PRODUCTION OF DOCU-
 2 MENTS.] Any party to an action, by leave of court or any judge thereof, may file
 3 interrogatories in writing for the discovery by the opposite party of facts and
 4 documents material to the support or defense of the action, or of any claim pre-
 5 sented by any pleading therein, and may require such interrogatories to be an-
 6 swered by such opposite party, if such opposite party be an individual. The
 7 party filing any such interrogatories shall give the opposite party notice of
 8 such filing, together with a copy of the interrogatories filed, and such oppo-
 9 site party shall, within twenty days after being served with a copy thereof, or
 10 within such time as may be fixed by the court therefor, by general rule or other-
 11 wise, file with the clerk the answers thereto and serve a copy of such answers
 12 upon the party filing the interrogatories, except answers to such interrogatories
 12½ as may be suppressed or stricken out by the court as hereinafter provided.

13 Upon the filing of any interrogatories the court may, upon the application of
14 the party or person proposed to be interrogated, and upon reasonable notice in
15 writing to the party filing the interrogatories, suppress the same, or any one or
16 more of them, when, in the opinion of the court, any such interrogatory or in-
17 terrogatories is or are improper. If any party to the action is a public or pri-
18 vate corporation, any opposite party may apply to the court, or any judge thereof,
19 for an order allowing him to file interrogatories in writing for the discovery
20 by said corporation of facts and documents material to the support or defense of
21 the action, or of any claim presented by any pleading therein, to be answered
22 by any director, officer, superintendent or managing agent of the corporation,
23 and an order may be entered accordingly as the court or judge may deem fit
24 and proper. The party desiring to file such interrogatories shall give to the
25 opposite party notice of the time and place when and where he will apply to
26 the court, or to one of the judges thereof, for an order to have such interroga-
27 tories answered and shall deliver with such notice a copy of the interrogatories
28 to be answered. And if the court or judge shall order such interrogatories or
29 any of them to be answered, such interrogatories shall be answered as provided
30 by the order of the court, and the answers to said interrogatories shall be filed
31 with the clerk of the court within such time as may be fixed by the court there-
32 for, by general rule or otherwise, and a copy of such answers shall be served
33 upon the party applying to the court or judge for the answering of such in-
34 terrogatories. All interrogatories filed in accordance with the preceding pro-
35 visions of this section shall be answered under oath by the party or person to
36 whom the same are directed, and the answers thereto shall be competent but not
37 conclusive evidence upon the trial of the action as against the party interrogated,
38 or as against the corporation or body whose director, officer, superintendent or
39 managing agent is interrogated. The party filing such interrogatories shall not
40 be concluded by the answers thereto if he shall elect to introduce the same
41 or any or either of them upon the final hearing of the action. Interrogatories
42 filed as hereinbefore provided shall be answered fully, completely and without
43 evasion by the party, or by the directors, officers, superintendent or managing

44 agents of the corporation, to whom they are directed. Leave may be given to
 45 either party to file additional interrogatories when, in the opinion of the court,
 46 the answers to such additional interrogatories will tend to promote justice.
 47 Either party may, upon reasonable notice to the opposite party, apply to the
 48 court, or to any judge thereof, for an order for the inspection or production
 49 of documents in the possession or under the control of the opposite party and
 50 containing evidence material to the issues in the action, whether such opposite
 51 party be an individual or a corporation, and such inspection shall be allowed and
 52 documents produced as the court may order. Any party failing or refusing to
 53 comply with any order of the court which may be appropriate to enforce answers
 54 to interrogatories, or to affect the inspection or production of documents in the
 55 possession or under the control of such party and containing evidence material
 56 to the issues in the action, shall be liable to attachment for contempt and shall
 57 also be liable, if a plaintiff, to have his bill dismissed, or, if a defendant, to have
 58 his answer stricken out, and to be placed in the same situation as if he had
 59 failed to answer, or, if an intervener, to have his intervener's claim stricken out
 60 or dismissed.

Sec. 33. STATEMENT OF FACTS EXPECTED TO BE PROVEN.] If any party to an
 2 action shall, at the time of the filing by him of his pleading therein, or within
 3 such time thereafter as may be allowed by the court, file a statement in writing
 4 verified by his affidavit, or that of his attorney or agent, if such attorney or agent
 5 have knowledge as to the facts, or in case such party be a corporation, by an affi-
 6 davit of some officer, agent or attorney thereof having knowledge as to the facts,
 7 such verification to be either positive or upon information and belief, of facts,
 8 either ultimate or evidentiary, which such party expects to prove upon the hear-
 9 ing, then, in such case, unless the opposite party, or his agent or attorney, or, in
 10 case such opposite party is a corporation, some officer, attorney or agent thereof
 11 having knowledge of the facts concerning such action, shall, by affidavit, either
 12 positive or upon information and belief, the same to be filed in the action within
 13 such time as may be fixed by the court by special order or general rule, deny the

14 facts set forth in such statement, or some portion thereof, such facts, or such por-
15 tion thereof as are not denied shall, upon the hearing of such action, be taken as
16 true without further proof, unless such opposite party be an infant, lunatic or
17 other person *non compos* and not under guardianship: *Provided, however,* that
18 no such fact shall be taken as true, though not so denied, if such opposite party,
19 or his agent or attorney, or, if such opposite party be a corporation, some officer,
20 agent or attorney thereof, having knowledge of the facts concerning such action,
21 and whose duty it may be to ascertain such facts, shall set forth in an affidavit
22 to be filed in the action that he has no knowledge respecting such fact and has
23 been unable to ascertain whether the same is true or not. When
24 there are several parties, either plaintiff or defendant, the affidavit
25 above provided for may be made by any one of the plaintiffs, or any one of the de-
26 fendants, as the case may be, or by any agent or attorney of the party filing the
27 same, or, in case any party is a corporation, such affidavit may be made by any of-
28 ficer, attorney or agent thereof having knowledge of the facts concerning such
29 action. Every such statement hereinbefore provided for, after the formal part
30 thereof, shall be divided into paragraphs which shall be numbered consecutively
31 and each paragraph shall set forth, as near as may be, but one ultimate or evi-
32 dentiary fact expected to be proven by the party filing the same. When any such
33 statement has been filed the opposite party, if he wishes to deny the same, or any
34 portion thereof, may do so by specifying in his affidavit the numbers only of the
35 facts in such statement which he denies, and such party shall also be at liberty to
36 supplement such denial of any fact by any explanation he may desire to make of
37 any such denial. When any such statement, or any reply to any such statement, is
38 filed, the party filing the same shall cause a copy thereof to be served upon the
39 opposite party or his solicitor. When any such statement is filed the party
40 filing the same may, upon the hearing of the action, read in evidence as facts
41 admitted such of the facts therein set forth as are not denied by the opposite
42 party, as hereinbefore provided, and may, in his discretion, read in evidence
43 the opposite party's explanation of the denial of any such fact. No
44 party shall, without special leave of court, file any such statement of facts when
45 the number thereof exceeds twenty-five. After the filing by the opposite party

46 of a denial of any statement of facts, or after the failure of such opposite party
 47 to deny any such statement, the court may, in its discretion, allow the filing of a
 48 subsequent statement of facts expected to be proven and may require the oppo-
 49 site party to deny the same within such time as may be fixed by the court, or
 50 may, in default of such denial, treat such facts as admitted. When any such state-
 51 ment of facts expected to be proven has been filed, the same, together with the
 52 denial, if any, of the opposite party, shall constitute a part of the record of the
 53 action. The court may also, after the filing by a party of any such denial, or
 54 after his failure to file any denial, permit such party to amend the denial there-
 55 tofore filed, or to file a denial, upon such terms as the court may deem fit.

Sec. 34. VEXATIOUS REFUSAL OF PARTY TO ADMIT UNDISPUTED FACTS.] When-
 2 ever it shall appear to the satisfaction of the court that any party to an action has
 3 wilfully denied any material fact contained in any statement hereinbefore pro-
 4 vided for when such fact was known to such party to be true, and has thereby
 5 compelled the opposite party to make proof thereof, the court may cause to be
 6 taxed as costs against the party denying such material fact and in favor of the
 7 opposite party such sum as the court may deem just and equitable and may enforce
 8 the payment thereof by attachment or otherwise.

Sec. 35. FORMS OF ORDERS AND DECREES.] Every order or decree shall be limi-
 2 ted to an introduction in such form as the rules of the court may prescribe and
 3 a brief statement of facts which the court may deem necessary to have preserved
 4 in such order or decree and a brief statement of that which the court orders or
 5 decrees, such statement, when the court orders or decrees several matters, to be
 6 divided into paragraphs numbered consecutively, each reciting, as near as may
 7 be, a single matter thus ordered or decreed.

Sec. 36. WHEN ORDER OR DECREE PRESUMED WARRANTED BY EVIDENCE.] When
 2 the record contains no report of the proceedings signed by a judge, as herein-
 3 after provided, and no master's report accompanied by evidence, or master's re-
 4 port of finding of facts not accompanied by evidence, every order or decree,

5 whether interlocutory or final, shall be conclusively presumed to have been war-
6 ranted by the evidence.

Sec. 37. WHEN ORDER OR DECREE PRESUMED BASED SOLELY ON EVIDENCE IN RE-
2 PORT, ETC.] When the record contains a report of the proceedings signed by the
3 judge, or a master's report accompanied by evidence, or both, any order or de-
4 cree, whether interlocutory or final, to which such report of the proceedings per-
5 tains and which is founded upon such report of the proceedings or master's re-
6 port accompanied by evidence, or both, will be presumed to have been founded
7 solely upon the evidence preserved in such report of the proceedings, or accom-
8 panying such master's report, or both, as the case may be, unless such report
9 of proceedings or master's report contain an express recital to the contrary.

Sec. 38. WHEN ORDER OR DECREE PRESUMED FOUNDED SOLELY ON MASTER'S FIND-
2 INGS.] When the record contains a master's report of a finding of facts not ac-
3 companied by evidence and no report of the proceedings signed by the judge, any
4 order or decree which is founded on such master's report will be presumed to
5 have been founded solely upon the facts found therein.

Sec. 39. REPORT OF PROCEEDINGS.] Evidence heard and considered by the
2 court in the entry of any order or decree, and all other proceedings of the court
3 which are not otherwise preserved in the record, may be preserved in a report of
4 the proceedings signed by the presiding judge, which report may be prepared
5 and tendered to the court by either party to the action at any time not more than
6 sixty days after the final determination of the action or within such further time
7 as may be allowed by the court upon application therefor made within such sixty
8 days, or within the period of any extension of time thereafter granted. Such re-
9 port may be settled in the manner heretofore customary with respect to the settle-
10 ment of a certificate of evidence and shall be amendable at any time, either in the
11 court of original jurisdiction or in the appellate or Supreme Court, so as to cor-
12 rectly present the proceedings of such court of original jurisdiction and to enable
13 the appellate court or the Supreme Court, as the case may be, to properly review
14 the same: *Provided, however,* that amendments of reports of proceedings in

15 the Supreme Court and the appellate courts shall be subject to such rules as may
 16 be prescribed by the Supreme Court with reference thereto. It shall not be neces-
 17 sary in any such report to set forth an exception to any ruling of the court, but
 18 every such ruling which appears to have been made against the objection or
 19 contrary to the contention of the party complaining thereof and which is author-
 20 ized by law to be reviewed, shall be subject to such review by the Supreme Court
 21 or the appellate court, and every order or decree entered by the court shall be
 22 presumed to have been entered against the objection of the party complaining
 23 thereof upon appeal, writ of error or writ of certiorari, unless the contrary shall
 24 affirmatively appear from the record.

Sec. 40. POWER OF SUPREME AND APPELLATE COURTS UPON APPEAL OR WRIT OF
 2 ERROR.] The Supreme Court, or any appellate court, when any action in equity
 3 shall be removed thereto for review by appeal, or writ of error, or otherwise,
 4 shall have all the powers and duties as to amendment which were possessed by
 5 the court of original jurisdiction, such powers and duties to be exercised and
 6 performed in accordance with such rules as may be prescribed by the Supreme
 7 court. The Supreme Court or any appellate court upon any such appeal, writ
 8 of error or other method of review, shall have power to make any order or decree
 9 which ought to have been made by the court of original jurisdiction. The powers
 10 conferred by this section shall be so exercised in every action as to prevent the
 11 defeat of a just determination thereof through any mistake in respect to any mat-
 12 ter of practice or procedure.

Sec. 41. ENFORCEMENT OF DECREE.] When any bill, or any cross-claim set up
 2 in an answer, is taken for confessed, or upon hearing, the court may make such
 3 decree thereon as may be just and may enforce such decree either by sequestra-
 4 tion of real and personal estate, by attachment against the person, by fine or im-
 5 prisonment, or both, by causing possession of real and personal estate to be de-
 6 livered to the party entitled thereto, or by ordering the demand of the party in
 7 whose favor the decree is rendered to be paid out of the effects of estate seques-
 8 tered, or which are included in such decree, and by the exercise of such other

9 powers as pertain to courts of equity and which may be necessary for the at-
10 tainment of justice.

Sec. 42. DECREES, ETC., AFFECTING UNKNOWN PERSONS.] All orders and pro-
2 ceedings made or had with respect to unknown persons shall have the same
3 effect, and be as binding and conclusive upon them, as though the action or pro-
4 ceeding had been instituted against them by their proper names.

Sec. 43. LIEN OF MONEY DECREE.] A decree for money shall be a lien on the
2 lands and tenements of the party against whom it is entered to the same extent,
3 and under the same limitations, as a judgment at law.

Sec. 44. LIEN OF OTHER DECREES.] All decrees given in actions in equity in
2 this State shall be a lien on all real estate respecting which such decrees shall be
3 made; and, whenever by any decree any party to an action in equity shall be re-
4 quired to perform any act other than the payment of money, or to refrain from
5 performing any act, the court may, in such decree, order that the same shall be
6 a lien upon the real or personal estate, or both, of such party until such decree
7 shall be fully complied with; and such lien shall have the same force and effect,
8 and be subject to the same limitations and restrictions, as judgments at law.

Sec. 45. EXECUTION OF DEEDS—RECORDING SAME.] Whenever a decree shall
2 be made in any action in equity directing execution of any deed or other writing,
3 it shall be lawful for the court to appoint a commissioner, or direct a master in
4 chancery, to execute the same, in case the parties under no disability fail to exe-
5 cute the same in the time to be named in the decree; or on behalf of minors or per-
6 sons having conservators; and the execution thereof, by such commissioner or
7 master in chancery, shall be valid in law to pass, release or extinguish the right,
8 title or interest of the party in whose behalf it is exercised, as if executed by the
9 party in proper person, and he or she were under no disability; and such deed or
10 other writing, if it relates to land, shall, within six months after its execution
11 by such commissioner or master, be recorded in the recorder's office of the county
12 wherein the land may lie.

Sec. 46. EXECUTION OF DECREES—PENALTY.] When there shall be no direction
 2 that a master in chancery or commissioner execute a decree, the same may be
 3 carried into effect by execution or other final process, according to the nature of
 4 the case, directed to the sheriff or other officer of the proper county, and which,
 5 when issued, shall be executed and returned by the sheriff or other officer to
 6 whom it may be directed and shall have the same operation and force as similar
 7 writs issued upon a judgment at law. The sheriff, or other officer to whom the
 8 same is directed, shall be subject to the like penalties and recoveries for mis-
 9 conduct or neglect in the execution or return thereof as in actions at law; or the
 10 court may, if necessary, direct an attachment to be issued against the party dis-
 11 obeying such decree, and fine or imprison him, or both, in the discretion of the
 12 court, and may also direct a sequestration for disobedience of any decree.

Sec. 47. TERMS OF SALE OF PROPERTY.] In all cases where a sale of property
 2 is decreed the court may direct the same to be made for cash, or on such credit,
 3 where no redemption is allowed, and on such terms, as it may be deemed best and
 4 most equitable to the interests of the several parties.

Sec. 48. CREDITOR'S BILL.] Whenever an execution shall have been issued
 2 against the property of a defendant on a judgment at law or a decree in equity
 3 and shall have been returned unsatisfied in whole or in part, the party suing out
 4 such execution may file a bill in equity against such defendant and any other per-
 5 son or persons to compel the discovery of any property, money or things in action
 6 due to him or held in trust for him and to prevent the transfer of any property,
 7 money or things in action, or the payment or delivery thereof, to the defendant,
 8 except when such trust has in good faith been created by, or the fund so held in
 9 trust has proceeded from, some person other than the defendant himself. The
 10 court shall have power to compel such discovery and to prevent such transfer,
 11 payment or delivery and to decree satisfaction of the sum remaining due on such
 12 judgment or decree out of any personal property, money and things in action be-
 13 longing to the defendant, or held in trust for him, with the exception above stated,
 14 which shall be discovered by the proceedings in equity whether the same were

originally liable to be taken in execution at law or not: *Provided, however*, that no answer made to any bill filed under this section, nor any answers made to interrogatories which the defendant may be required to answer by the court, shall be read in evidence against the defendant on the trial of any indictment or information for fraud charged in the bill. This section shall not, however, be construed to authorize any lien upon or sale of those articles in possession of the defendant which are exempt from execution by law and not released or waived by the party entitled to such exemption, nor to authorize the application to the payment of the plaintiff's judgment of any money or property exempt by law from garnishment. Any bill in equity hereunder shall be sufficient if it sets forth the recovery of the plaintiff's judgment, including the date thereof, the court in which rendered, the names of the parties thereto and the issuance of an execution thereon and the return of the same unsatisfied, in whole or in part, and is filed within seven years after the rendition of such judgment and sets forth that the plaintiff claims from the defendants in such bill discovery of all the property, money or things in action within their possession, knowledge or control or within the possession, knowledge or control of either of them, which in equity ought to be applied to the satisfaction of the judgment, and if the bill shall be verified by the oath of the plaintiff, his agent or attorney, that the same is true in substance and in fact. Every answer to such bill shall be under the oath of the defendants, but the same shall not be evidence in their favor, and notwithstanding any defendant shall in his answer deny that he has possession, knowledge or control of any property, money or thing in action which ought in equity to be applied in satisfaction of the judgment, the court may proceed to hear the evidence and to render such decree as the law and evidence may require. The plaintiff shall also be at liberty in any such bill to set forth and describe any specific property which he may seek to have applied in satisfaction of his judgment and may claim relief with respect to any conveyance thereof or other transaction with respect thereto.

Sec. 49. **BILLS TO QUIET TITLE.]** The court may hear and determine bills to

quiet title, to remove clouds from the title to real estate, and to establish of record

3 title to real estate, whether the lands in controversy are improved or occupied, or
4 unimproved or unoccupied, and whether the plaintiff is or is not in possession
5 thereof; and the taking possession of such lands, after the commencement of the
6 suit by the party claiming the title or the adverse title, or any one under or
7 through such person or persons, shall not in anywise affect the plaintiff's right
8 to a final decree upon his bill.

Sec. 50. PROVISIONS APPLICABLE TO PENDING ACTIONS.] The provisions of this
2 act shall govern all proceedings in actions pending at the time it shall take effect
3 as well as actions thereafter brought, save that where in any then pending action
4 an order has been made or act done which cannot be changed without doing sub-
5 stantial injustice, the court may give effect to such order or act to the extent
6 necessary to avoid any such injustice.

Sec. 51. REPEAL.] The Act entitled, "An Act to regulate the practice in
2 courts of chancery," approved March 15, 1872, in force July 1, 1872, is hereby
3 repealed.

2

- 1 Introduced by Committee on Judicial Department and Practice (substitute for
House Bill No. 91), April 8, 1915.
- 2 Taken up, read at large a first time, ordered printed and to a second reading.

A BILL

For an Act in relation to practice and procedure in courts of record.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* MODE OF COMMENCING ACTIONS.] An action
3 at law, when the plaintiff does not seek a *capias ad respondendum* or other
4 writ for the arrest of the defendant, a writ of attachment or a writ of re-
5 plevin, shall be commenced by the filing by the plaintiff with the clerk of the
6 proper court of a statement of claim.

Sec. 2. WHERE ACTIONS BROUGHT.] Any action, whether at law or in equity,
2 may be brought in any county in which it might have been brought in pursu-
3 ance of any law in force immediately prior to the first day of August, 1916, and
4 a summons may be served upon any defendant in any county in which it might
5 have been served upon him in pursuance of any law in force immediately prior
6 to said date.

Sec. 3. ISSUANCE AND SERVICE OF SUMMONS.] Upon the filing of the state-
2 ment of claim the clerk of the court shall issue and deliver to the plaintiff a

3 summons to the defendant commanding him to appear in person or by attor-
4 ney at the place of holding such court and file his defense to the action on the
5 twentieth day after such summons shall have been served upon him, excluding
6 the day of such service. Such summons shall specify the court in which the action
7 is pending, the names of the parties thereto, and shall be issued under the seal
8 of the court, attested in the name of the clerk thereof, dated on the day it shall
9 be issued and signed with his name, and shall be returnable into the clerk's
10 office within twenty days after its issuance. Whenever the plaintiff shall so
11 request the clerk shall issue as many such summonses as the plaintiff shall
12 specify, not exceeding by more than three the number of defendants to be sum-
13 moned, each of which shall have the force and effect of an original summons.
14 In case any summons shall not be returned served upon the defendant within
15 twenty days after the issuance thereof an alias summons may be issued and a
16 pluries summons may be issued in any case when the previous alias or pluries
17 summons shall not have been returned served upon the defendant within twen-
18 ty days after the issuance thereof. Service of any summons shall be made by
19 delivering a copy, or one of the originals thereof, to the defendant, or in case
20 the defendant is a corporation, whether a private or a public or a municipal
21 corporation, or a receiver of a corporation, or a trustee operating a railway, by
22 leaving such copy with any person upon whom, under any provision of law in
23 force immediately prior to August 1, 1916, service of process might be allowed
24 in any action brought against such corporation, receiver or trustee or, in default
25 of any provision of law with respect thereto, with such person as the Supreme
26 Court may by rule prescribe. Such service may be made by any sheriff or dep-
27 uty sheriff or by any coroner or deputy coroner, in case the sheriff is disquali-
28 fied to act, or by any person over the age of twenty-one years not a party to
29 the action: *Provided, however,* that service by any person other than one of the
30 officers hereinbefore mentioned, may, in the discretion of the Supreme Court, be
31 regulated by rules, and that service of summons issued out of any court of record
32 shall not be made by any person other than one of the officers above mentioned,
33 until the adoption by the Supreme Court of a rule or rules regulating such serv-

ice. When service is made by one of the officers hereinbefore mentioned the same shall be evidenced by his return endorsed thereon, and when the same is made by any person who is not such an officer such service shall be proven by the affidavit of such person endorsed thereon, which affidavit shall state the name, place of residence, age and occupation of the person making such service, and the date, place and manner of such service. When any defendant is an infant, a lunatic or otherwise under disability, the court may, in its discretion, by special order direct the service of the summons to be made upon such defendant in such manner as the court may deem proper. The officer or other person serving any such summons shall at the time of such service likewise deliver to the person served a copy of the plaintiff's statement of claim, such copy to be furnished to the officer by the plaintiff, if service is made by an officer: *Provided, however,* that in any action in which there are more than two defendants it shall be sufficient to deliver a copy of the statement of claim to two defendants only, but in such case, when any defendant or group of defendants to whom no such copy has been delivered shall demand of the plaintiff, or of his attorney, a copy of such statement of claim, the plaintiff or his attorney shall deliver to such defendant or group of defendants a copy thereof without charge. At the time of the delivery to the defendant or other person for him as above provided of the summons or copy thereof the officer or other person serving the same shall endorse upon such summons or copy a memorandum specifying the date of such service and the date on or before which the defendant is required to file his defense to the action. In actions other than those brought for the recovery of money only, where delay in the appearance of the defendant might result in a denial of justice or great injury to the plaintiff, and in actions in which the public interests so require, the Supreme Court may, by rule, provide for shortening the time within which the defendant is required to appear and file his defense to the action. Any non-resident person, or any co-partnership the members of which are all non-residents of this State, having a place or places of business in any county in this State in which an action may be brought, may be sued by the usual

64 and ordinary name which such person or co-partnership has assumed, and
 65 under which such person or co-partnership was carrying on business at such place
 66 or places, upon any cause of action arising out of or connected with the carrying
 67 on of such business, or the property used in the carrying on of the same, and
 68 service of summons may be had in such action upon any agent of such persons
 69 or co-partnership with the same effect as if service had been had in this State
 70 upon such person or upon the members of such co-partnership, which service
 71 shall, from and after twenty days from the date thereof, and upon the filing in
 72 said action of such summons with the endorsement or proof of service thereon,
 73 operate as a lien upon all the property of such person or co-partnership used in
 74 or connected with the carrying on of such business, for the amount of the
 75 claim of the plaintiff or plaintiffs for which judgment may be rendered in his or
 76 their favor in such action, until such time as such person, or the members of
 77 such co-partnership, as the case may be, shall have entered his or their appear-
 78 ance or appearances in the action. Any judgment rendered in any such action
 79 against any such person or co-partnership may be enforced as against any prop-
 80 erty within this State belonging to such person or co-partnership, or to any
 81 member thereof, to the same extent and with the same effect as if such person,
 82 or the members of such co-partnership, had been personally served with sum-
 83 mons in such action.

Sec. 4. JOINDER OF PARTIES.] All persons may be joined as plaintiffs in
 2 one action in whom any right to relief in respect of or arising out of the same
 3 occurrence or transaction, or series of occurrences or transactions, is alleged to
 4 exist, whether jointly, severally, or in the alternative, where, if such persons
 5 brought separate actions, any common question of law or fact would arise.
 6 All persons may be joined as defendants in any action against whom the right
 7 to any relief is alleged to exist, whether jointly, severally, or in the alterna-
 8 tive. When the plaintiff in any action is in doubt as to the person against
 9 whom he is entitled to relief, he may join two or more defendants to the intent
 10 that the question as to which, if any, of the defendants is liable, and to what

11 extent, may be determined as between all the parties. If any person proper
12 to be joined as plaintiff in any action shall, upon request, not consent to join
13 therein, or his consent cannot be conveniently obtained prior to the commence-
14 ment of the action, he may be joined as a defendant. In any action persons
15 suing in their own right may be joined as plaintiffs with persons suing as
16 executors, administrators, or in any other representative capacity; and parties
17 defending in their own right may be joined as defendants with parties defend-
18 ing as executors, administrators, or in any other representative capacity, and
19 in all such cases the orders and judgments of the court shall be enforced
20 against the parties suing or defending in a representative capacity in due
21 course of administration, or as may be otherwise provided by law. Any two
22 or more persons claiming as co-partners may sue in their firm name and any
23 two or more persons liable as co-partners may be sued by their firm name. The
24 assignee and the equitable and *bona fide* owner of any chose in action not ne-
25 gotiable, whether heretofore or hereafter assigned, may prosecute an action
26 thereon in his own name.

Sec. 5. NON-JOINDER—MISJOINDER—ACTION AGAINST WRONG PERSON.] When-

2 ever in any action the plaintiff shall fail to join as plaintiffs or defendants all
3 the persons who ought to have been joined as plaintiffs or defendants, as the
4 case may be, the court may, upon motion of any defendant, made prior to the
5 trial or hearing of the action, require the plaintiff to join all such necessary
6 parties as plaintiffs or defendants, as the case may be. No action shall be de-
7 feated by reason of the misjoinder or non-joinder of parties, and the court
8 may in every action deal with the matters in controversy so far as regards the
9 rights and interests of the parties actually before it. When an action has been
10 commenced in the name of the wrong person as plaintiff or against the wrong
11 person as defendant, or when it is doubtful whether it has been commenced in
12 the name of the right plaintiff or against the right defendant, the court, if
13 satisfied it has been so commenced through a *bona fide* mistake and that it is
14 necessary for the determination of the real matter in dispute so to do, may

15 order any other person to be substituted or added as plaintiff or defendant
16 upon such terms as may be just. When only a portion of the defendants have
17 been served with process the court may permit the plaintiff to proceed against
18 those who have been duly served with process or have entered their appear-
19 ances and to take further proceedings against any or either of the other parties
20 subsequently.

Sec. 6. JOINDER OF CAUSES OF ACTION.] The plaintiff may unite in the
2 same action, or the defendant may unite in the same counter-claim, as many
3 distinct causes of action as in his opinion may be conveniently and expeditiously
4 litigated in one action, subject to the right of any defendant or plaintiff, as
5 the case may be, to apply to the court, as hereinafter provided, for a divis-
6 ion of the action or counter-claim into separate actions or counter-claims, or
7 for the separate trials of any such causes of action as, in the opinion of the
8 court, cannot be conveniently and expeditiously tried and disposed of jointly
9 with other causes of actions. Claims in respect of or arising out of the same
10 occurrences or transactions, or series of occurrences or transactions, upon
11 the trial of which a common question of law or fact will arise, may be joined,
12 although such claims are several claims in favor of one or more only of several
13 parties on one side against one or more only of several parties on the other
14 side. Claims against a portion of the parties as principals, the other parties
15 on the same side being sureties, may be joined, although one or more of such
16 sureties may be such as to only a portion of the claims. When any party to
17 an action shall object to the court that the claims have been improperly joined
18 therein the court, if it be of the opinion that such objection is well founded,
19 shall not on that account dismiss the action or counter-claim, but may either
20 require the action or counter-claim to be limited to such of the claims as may
21 be properly joined, or may direct separate trials of claims which cannot be
22 conveniently tried together, or it may order that the action be divided into
23 as many separate actions as the case may require.

Sec. 7. KINDS OF PLEADINGS TO BE USED IN ACTIONS AT LAW.] The pleadings
2 in an action at law shall consist of the plaintiff's statement of claim, in which

3 shall be set forth the nature of his cause of action, the defendant's statement
4 of defense, set-off or counter-claim, in which shall be set forth the nature of
5 the defendant's defense, set-off or counter-claim, and such subsequent plead-
6 ings as may be necessary or proper to define the issues between the parties,
7 such pleadings to be framed as hereinafter provided.

Sec. 8. FRAMING OF PLEADINGS.] In the framing of pleadings the follow-
2 ing rules shall be observed:

3 *First.* Every pleading shall contain, and contain only, a statement in a
4 summary form of the material facts on which the party pleading relies for his
5 claim or defense, as the case may be, but not the evidence by which they are
6 to be proved,—and shall, when necessary, be divided into paragraphs num-
7 bered consecutively.

8 *Second.* In any case in which the party pleading relies on any misrep-
9 sentation, fraud, breach of trust, wilful default or undue influence, and in all
10 other cases in which particulars may be necessary, particulars (with dates and
11 items, if necessary) shall be stated in the pleading.

12 *Third.* Every allegation of fact in any pleading, if not denied specifically
13 or by necessary implication, or stated to be not admitted in the pleading of the
14 opposite party, shall be taken to be admitted, except as against an infant or
15 other person not *sui juris*.

16 *Fourth.* Any condition precedent the performance or occurrence of which
17 is intended to be contested shall be distinctly specified in his pleading by the
18 plaintiff or defendant, as the case may be; and, subject thereto, an averment of
19 the performance or occurrence of all conditions precedent necessary for the
20 case of the plaintiff or defendant, as the case may be, shall be implied in his
21 pleading.

22 *Fifth.* The defendant or plaintiff, as the case may be, must raise by his
23 pleading all matters which show the action or counter-claim not to be main-
24 tainable, or that the transaction is either void or voidable in point of law, and
25 all such grounds of defense or reply, as the case may be, as if not raised would

26 be likely to take the opposite party by surprise, or would raise issues of fact
 27 not arising out of the preceding pleadings, as, for instance, fraud, statute of
 28 limitations, release, payment, performance, facts showing illegality, either by
 29 statute or common law, or statute of frauds.

30 *Sixth.* No pleading shall, except by way of amendment, raise any new
 31 ground of claim or contain any allegation of fact inconsistent with the previous
 32 pleadings of the party pleading the same.

33 *Seventh.* It shall not be sufficient for a defendant in his statement of de-
 34 fense to deny generally the grounds alleged by the statement of claim, or for a
 35 plaintiff in his reply to deny generally the grounds alleged as a defense by
 36 way of counter-claim, but each party must deal specifically with each allega-
 37 tion of fact of which he does not admit the truth, except damages.

38 *Eighth.* Subject to the last preceding rule, the plaintiff by his reply may
 39 join issue upon the defense, and each party in his pleading, if any, may join
 40 issue upon the previous pleading, and such joinder of issue shall operate as a
 41 denial of every material allegation of fact in the pleading upon which issue
 42 is joined, but it may except any facts which the plaintiff may be willing to
 43 admit, and shall then operate as a denial of the facts not so admitted.

44 *Ninth.* When a party in any pleading denies an allegation of fact in the
 45 previous pleading of the opposite party, he must not do so evasively, but must
 46 answer the point of substance. Thus, if it be alleged that he received a certain
 47 sum of money, it shall not be sufficient to deny that he received that particular
 48 amount, but he must deny that he received that sum or any part thereof, or
 49 else set out how much he received; and if an allegation is made with divers
 50 circumstances, it shall not be sufficient to deny it along with those circum-
 51 stances.

52 *Tenth.* When a contract, promise, or agreement is alleged in any pleading
 53 a bare denial of the same by the opposite party shall be construed only as a denial
 54 in fact of the express contract, promise or agreement alleged, or of the matters
 55 of fact from which the same may be implied by law, and not as a denial of the
 56 legality or sufficiency in law of such contract, promise or agreement, whether
 57 with reference to the statute of frauds or otherwise.

58 *Eleventh.* Wherever the contents of any document are material it shall
59 be sufficient in any pleading to state the effect thereof as briefly as is possible,
60 without setting out the whole or any part thereof, unless the precise words of
61 the document or any part thereof are material.

62 *Twelfth.* Whenever it is material to allege malice, fraudulent intention,
63 knowledge or other condition of mind of any person, it shall be sufficient to
64 allege the same as a fact without setting out the circumstances from which the
65 same is to be inferred.

66 *Thirteenth.* Whenever it is material to allege notice to any person of any
67 fact, matter or thing, it shall be sufficient to allege such notice, as a fact, unless
68 the form or the precise terms of such notice, or the circumstances from which
69 said notice is to be inferred, be material.

70 *Fourteenth.* Whenever any contract or any relation between any persons
71 is to be implied from a series of letters or conversations or otherwise from a
72 number of circumstances, it shall be sufficient to allege such contract or rela-
73 tion as a fact and to refer generally to such letters, conversations or circum-
74 stances without setting them out in detail; and if in such case the person so
75 pleading desires to rely in the alternative upon more contracts or relations
76 than one as to be implied from such circumstances, he may state the same in the
77 alternative.

78 *Fifteenth.* Neither party need in any pleading allege any matter of fact
79 which the law presumes in his favor, or as to which the burden of proof lies
80 upon the other side, unless the same has first been specifically denied, as, for
81 example, the consideration for a bill of exchange when the plaintiff sues only
82 on the bill and not for the consideration as a substantive ground of claim.

83 *Sixteenth.* No plea or defense shall be pleaded in abatement.

Sec. 9. METHOD OF SETTLING SUFFICIENCY OF PLEADINGS.] In the settlement
2 of the sufficiency of the pleadings the following rules shall be observed:

3 *First.* No demurrer shall be allowed.

4 *Second.* No technical objection shall be raised to any pleading on the ground
5 of any alleged want of form.

6 *Third.* The court may at any stage of the proceedings order to be struck
7 out or amended any matter in any pleading which may be unnecessary or
8 scandalous, or which may tend to prejudice, embarrass or delay the fair trial of
9 the action.

10 *Fourth.* Any party shall be entitled to raise by his pleading any point of
11 law, and any point so raised shall be disposed of by the judge who tries the
12 cause at or after the trial, provided that, by consent of the parties, or by order
13 of the court on the application of either party, the same may be set down for
14 hearing and disposed of at any time before the trial; and if, in the opinion of
15 the court, the decision of such point of law substantially disposes of the whole
16 action, or of any distinct cause of action, ground of defense, set-off, counter-
17 claim or reply therein, the court may thereupon dismiss the action or make
18 such other order therein as may be just.

19 *Fifth.* The court may order any pleading to be struck out on the ground
20 that it discloses no reasonable cause of action or answer, and in any such case,
21 or in case of the action or defense being shown by the pleadings to be frivolous
22 or vexatious, the court may order the action to be stayed or dismissed or judg-
23 ment to be entered accordingly, as may be just.

Sec. 10. PLEADINGS SUBSEQUENT TO ANSWER.] No reply shall be filed by the
2 plaintiff unless the defendant sets up a set-off or counter-claim, in which case the
3 plaintiff shall file a reply setting forth his defense thereto, or unless upon the
4 application of either party, a reply is ordered by the court, or the court, of its
5 own motion, orders a reply. No pleading subsequent to reply, other than a join-
6 der of issue, shall be pleaded without leave of the court and then shall be pleaded
7 only upon such terms as the court shall think fit.

Sec. 11. PLEADINGS WHEN GROUNDS OF DEFENSE ARISE AFTER ACTION BEGUN.]
2 Any ground of defense which has arisen after action begun, but before the de-
3 fendant has filed his statement of defense, and before the time limited for his
4 doing so has expired, may be raised by the defendant in his statement of defense

5 either alone or together with other grounds of defense; and if, after a statement
6 of defense has been filed, a new ground of defense arises to any set-off or coun-
7 ter-claim alleged therein by the defendant, it may be raised by the plaintiff in his
8 reply, either alone or together with any ground of reply. Where any ground of
9 defense arises after the defendant has filed his statement of defense or after the
10 time limited for his doing so has expired, the defendant may, and where any
11 ground of defense or any set-off or counter-claim arises after reply, or after the
12 time limited for filing a reply has expired, the plaintiff, within such time as the
13 court may by special order or general rule prescribe, after such ground of de-
14 fense has arisen, or at any subsequent time, by leave of the court, file a further
15 defense or further reply, as the case may be, setting forth the same.

Sec. 12. SET-OFF OR COUNTER-CLAIM.] A defendant in an action may set off,
2 or set up by way of counter-claim against the claims of the plaintiff, any right
3 or claim, whether such set-off or counter-claim sound in damages or not, and such
4 set-off or counter-claim shall have the same effect as a cross-action so as to en-
5 able the court to pronounce a final judgment in the same action, both on the
6 original and on the cross-claim. But the court may, on the application of the
7 plaintiff before trial, if in the opinion of the court such set-off or counter-claim
8 may not be conveniently disposed of in the pending action, or ought not to be al-
9 lowed, refuse permission to the defendant to avail himself thereof.

Sec. 13. POWER OF SUPREME COURT TO CHANGE RULES OF PLEADING.] The
2 provisions of the preceding sections four (4) to twelve (12), inclusive, shall be
3 subject to such alterations, additions and modifications as the Supreme Court
4 may, from time to time, by general rule, prescribe.

Sec. 14. PARTICULARS.] A further and better statement of the nature of a
2 claim or defense, or further and better particulars of any matter stated in any
3 pleading, notice or written proceeding requiring particulars, may in all cases
4 be ordered by the court upon such terms as the court may deem just and right.

Sec. 15. VERIFICATION OF PLEADINGS.] Any party to an action may, if he so
2 elect, verify his pleading by an affidavit upon information and belief, such affi

3 davit to be made by such party, or any agent or attorney of such party having
 4 knowledge of the facts, and in such case he shall be entitled by a note at the foot
 5 of his pleading to require the opposite party to verify his pleading subsequent
 6 thereto in like manner, but no affidavit verifying any pleading shall be evidence
 7 in favor of the party in whose behalf such affidavit is made, unless the same is
 8 introduced in evidence by the opposite party, nor then to any greater extent
 9 than if such party had testified as a witness on his own behalf on the hearing of
 10 the action.

Sec. 16. INTERVENTION.] Any person not made a party to an action, if he
 2 claims an interest in the matters, or any of them, being litigated therein, or in
 3 any property levied upon or seized under any writ or order of court issued or
 4 made therein, may, in the discretion of the court, be permitted to intervene there-
 5 in by filing an intervenor's claim and may obtain such relief in the action as he
 6 may be entitled to. Any such intervenor's claim shall be framed in accordance,
 7 as near as may be, with the rules prescribed by this Act for the framing of a
 8 plaintiff's statement of claim, and the same may be dealt with by the court in
 9 such manner as the court may deem proper for the adjudication thereof.

Sec. 17. AMENDMENTS.] The court may, at any stage of the proceedings,
 2 allow either party to an action to amend his pleadings in such manner and on
 3 such terms as may be just, and all such amendments shall be made as may be
 4 necessary for the purpose of determining the real questions in controversy by
 5 the parties. Clerical mistakes in judgments, orders or decrees, or errors aris-
 6 ing therein from any accidental slip or omission, may at any time be corrected by
 7 the court on motion of any party, or of its own motion. The court may at any
 8 time, and on such terms as the court may deem just, amend any defect or error
 9 in the proceedings and all necessary amendments shall be made for the purpose
 10 of determining the real question or issue raised by or depending upon the pro-
 11 ceedings.

Sec. 18. APPEARANCE—DEFAULT.] Every defendant shall enter his appear-
 2 ance and file his defense to the action within the time specified therefor in the

3 summons served upon him, or within the time specified in the notice published in
4 the action, in case he is notified by publication, or within such time, thereafter as
5 he may be required so to do by rule of court and upon his failure so to do such
6 judgment may be entered against him by default as the court may find the
7 plaintiff to be entitled to: *Provided, however,* that the time for the filing by the
8 defendant of his defense may be extended by the court.

Sec. 19. DISCOVERY BY INTERROGATORIES.] In an action the plaintiff or de-
2 fendant, by leave of court, may file interrogatories in writing for the examina-
3 tion of the opposite party, or any one or more of such parties. If any party to
4 the action be a corporation, or body of persons empowered by law to sue or be
5 sued, whether in its own name or in the name of any officer or other person, any
6 opposite party may, by leave of court, file interrogatories in writing for the ex-
7 amination of any member, officer or managing agent of such corporation or
8 body. The further procedure with respect to such interrogatories may be as
9 follows:

10 *First.* Any interrogatories may be set aside on the ground that they have
11 been exhibited unreasonably or vexatiously or struck out on the ground that they
12 are prolix, oppressive, unnecessary or scandalous.

13 *Second.* If any person interrogated omits to answer, or answers insuffi-
14 ciently, the court may make an order requiring him to answer, or to answer fur-
15 ther, as the case may be.

16 *Third.* Any party may at the trial of an action use in evidence any one or
17 more of the answers or any part of an answer of the opposite party, or of an of-
18 ficer, managing agent or member of the opposite party, to interrogatories
19 without putting in the others or the whole of such answer: *Provided, however,*
20 that in such case the judge may look at the whole of the answers and, if he shall
21 be of opinion that any others of them are so connected with those put in that the
22 last mentioned answers ought not to be used without them, he may direct them to
23 be put in.

24 *Fourth.* When answers to interrogatories are introduced in evidence they
25 shall be competent but not conclusive evidence upon the trial of the action as

26 against the party interrogated, or as against the corporation or body whose
 27 member, officer or managing agent is interrogated. The party filing such in-
 28 terrogatories shall not be concluded by the answers thereto if he shall elect to
 29 introduce the same, or any or either of them, upon the final hearing of the action.

Sec. 20. INSPECTION OF DOCUMENTS.] The court may, at any time during
 2 the pendency of any action, order the production by any party thereto of such
 3 of the documents in his possession or power relating to any matter in question in
 4 such action as the court may decide ought to be produced; and the court may
 5 deal with such documents when produced in such manner as the court shall deem
 6 proper. Any party to an action shall be entitled at any time by notice in writ-
 7 ing to give notice to any other party in whose pleadings or affidavits reference is
 8 made to any document to produce such document for the inspection of the party
 9 giving such notice, or of his attorney, and to permit him or them to take copies
 10 thereof; and any party not complying with such notice shall not afterwards be
 11 at liberty to put any such document in evidence in his behalf in such action, un-
 12 less he shall satisfy the court that such document relates only to his own title,
 13 he being a defendant in the action, or a plaintiff defending a counter-claim, or
 14 that he had some other cause or excuse which the court shall deem sufficient for
 15 not complying with such notice, in which case the court may allow the same to
 16 be put in evidence on such terms as the court may deem just and right. Where
 17 inspection of any business books is applied for the court may, if the court shall
 18 think fit, instead of ordering the inspection of the original books, order a copy
 19 of any entries therein to be furnished and verified by the affidavit of some per-
 20 son who has examined the copies with the original entries, and such affidavit
 21 shall state whether or not there are in the original book any and what erasures,
 22 interlineations or alterations: *Provided, however,* that notwithstanding such copy
 23 has been supplied, the court may order inspection of the book from which the
 24 copy was made. Where, on an application for an order for inspection, priv-
 25 ilege is claimed for any document, it shall be lawful for the court to inspect the
 26 document for the purpose of deciding as to the validity of the claim of privilege.

27 The court may, on the application of any party to an action at any time, make
28 an order requiring any other party to state by affidavit whether any one or more
29 specific documents, to be specified in the application, is or are, or has or have at
30 any time been, in his possession or power; and, if not then in his possession,
31 when he parted with the same and what has become thereof. Such application
32 shall be made on an affidavit stating that in the belief of the deponent the party
33 against whom the application is made has, or has at some time had, in his pos-
34 session or power, the document or documents specified in the application, and
35 that they relate to the matters in question in the action, or to some of them.

Sec. 21. PROCEDURE WHEN RIGHT TO DISCOVERY OR INSPECTION DEPENDS UPON

2 DETERMINATION OF AN ISSUE, ETC.] If the party from whom discovery of any
3 kind or inspection is sought objects to the same, or any part thereof, the court
4 may, if satisfied that the right to the discovery or inspection sought depends on
5 the determination of any issue or question in dispute in the action, or that for
6 any other reason it is desirable that any issue or question in dispute in the ac-
7 tion should be determined before deciding upon the right to the discovery or in-
8 spection, order that such issue or question be determined first and reserve the
9 question as to the discovery or inspection.

Sec. 22. PROCEDURE UPON NON-COMPLIANCE WITH ORDER TO ANSWER INTERROGA-

2 TORIES OR PRODUCE DOCUMENTS.] If any party fails to comply with any order to
3 answer interrogatories, or for discovery or inspection of documents, he shall be
4 liable to attachment. He shall also, if a plaintiff, be liable to have his action dis-
5 missed for want of prosecution, and, if a defendant, to have his defense, if any,
6 struck out and to be placed in the same position as if he had not defended, and
7 the party interrogating may apply to the court for an order to that effect, and
8 an order may be made accordingly. Service of an order for interrogatories or
9 discovery or inspection made against any party on his attorney shall be suf-
10 ficient service upon which to found an application for an attachment for dis-
11 obedience to the order; but the party against whom the application for an at-
12 tachment is made may show in answer to the application that he had no notice

13 or knowledge of the order. An attorney upon whom an order against any party
 14 for interrogatories or discovery or inspection is served as above provided, who
 15 neglects without reasonable excuse to give notice thereof to his client, shall be
 16 liable to attachment.

Sec. 23. ORAL EXAMINATION IN LIEU OF AFFIDAVITS.] Whenever in any action
 2 pending in any court of record evidence shall be necessary concerning any fact
 3 which, according to law and the practice of the court, may be supplied by affi-
 4 davit, the court may, in its discretion, require such evidence to be presented
 5 wholly or in part by oral examination of the witnesses in open court, or before
 6 a master in chancery or some other officer designated by the court, upon notice to
 7 all parties not in default, or their attorneys, and whenever any such evidence
 8 is presented by oral examination any adverse party shall have the right of cross-
 9 examination. Evidence so presented may be preserved by a report of the pro-
 10 ceedings. This section shall not apply to applications for change of venue.

Sec. 24. CONTINUANCE—MEMBERS OF GENERAL ASSEMBLY.] In any action pend-
 2 ing in any court of this State at any time when the General Assembly is in ses-
 3 sion it shall be a sufficient cause for a continuance if it shall appear to the court
 4 by affidavit that any party applying for such continuance, or any attorney, so-
 5 licitor or counsel of such party, is a member of either house of the General As-
 6 sembly and in actual attendance upon the sessions of the same, and that attend-
 7 ance of such party, attorney, solicitor or counsel in court is necessary to a fair
 8 and proper trial of such action, and on the filing of such affidavit the court shall
 9 continue such action; and when so continued no trial or other proceeding shall be
 10 had therein until the adjournment of the General Assembly nor within ten days
 11 thereafter. Such affidavit shall be sufficient if made at any time during the ses-
 12 sion of the General Assembly and shall show that at the time of the making of
 13 the same such party, attorney, solicitor and counsel is in actual attendance upon
 14 such session of the General Assembly. The provisions of this section shall not
 15 apply to cases of application for continuance by reason of the absence of any

16 attorney, solicitor or counsel who shall not have been actually employed in such
17 action prior to the commencement of such session of the General Assembly un-
18 less such action shall have been commenced after the commencement of such
19 session; nor shall it apply to the practice in the Supreme Court or the Appellate
20 Courts.

Sec. 25. PROCEDURE WHEN PARTY MISCONCEIVES REMEDY.] If the party com-
2 mencing any civil action shall have misconceived his remedy by commencing an
3 action in equity when he should have commenced an action at law, or by commenc-
4 ing an action at law when he should have commenced an action in equity, the
5 court shall not on that account dismiss the action, but, unless the court is satis-
6 fied the action has been so commenced in bad faith, the court shall, upon such
7 terms as to costs or otherwise as the court may deem just and right, permit or
8 require the pleadings in the action to be reformed by changing the pleadings
9 in an action in equity to pleadings in an action at law, or the pleadings in an ac-
10 tion at law to pleadings in an action in equity, as the case may be, and shall
11 thereupon proceed to dispose of the action as if the same had been properly com-
12 menced. In any such case all depositions taken, evidence heard, proceedings
13 had and orders entered in any such action prior to such reformation of the plead-
14 ings may be preserved as a part of the record of the action after such reforma-
15 tion, and either party may have the benefit of all such prior evidence, pro-
16 ceedings and orders after such reformation, so far as the same may be applicable
17 to the case under such reformed pleadings as may be filed. If, upon the trial
18 of any action at law, it shall be made to appear to the court that one or more
19 of the parties is or are entitled to equitable relief in regard to the matter in
20 controversy in such action, the court shall have power for that purpose to ad-
21 minister any equitable remedy which may prevent a failure or delay of justice,
22 obviate a circuitry or multiplicity of actions and completely dispose of the entire
23 controversy in one action and to that end may cause the pleadings to be amend-
24 ed or enter such other order as may be just and right.

Sec. 26. TRIAL BY JURY TO BE DEMANDED WHEN—COSTS.] Every action at law,
2 other than a criminal action or quasi criminal action, shall be tried by the court

3 without a jury unless the plaintiff, at the time he commences his action, or the
 4 defendant, at the time he enters his appearance, shall file with the clerk a de-
 5 mand in writing of a trial by jury and shall pay to the clerk, as clerk's fees, in
 6 addition to those otherwise provided by law, the sum of three dollars (\$3) in a
 7 county of the first or second class, and the sum of six dollars (\$6) in a county
 8 of the third class: *Provided, however,* that no such additional clerk's fees shall
 9 be required to be paid by any party who has been admitted to prosecute or de-
 10 fend the action as a poor person, or when it is made to appear to the court that
 11 the pecuniary circumstances of the party desiring a jury trial are such that such
 12 advance payment ought to be dispensed with and it shall be the duty of the court
 13 to give a liberal construction to this proviso. Any demand in writing so filed
 14 may be withdrawn by the party filing the same at any time before trial.

Sec. 27. CHALLENGE OF JURORS.] In every civil or quasi criminal action at
 2 law each party shall be entitled to a challenge of five (5) jurors without showing
 3 cause for such challenge.

Sec. 28. INSTRUCTIONS TO JURY.] Excepting by consent of the parties no
 2 judge shall instruct the petit jury in any case, civil or criminal, unless such in-
 3 structions are reduced to writing, and such instructions shall be as to the law of
 4 the case only. Each party may submit to the judge instructions as to the law
 4½ of the case. The judge may, of his own motion, and shall at the request of
 5 either party, submit all instructions tendered, and those proposed to be given by
 6 him, to the attorneys for the respective parties before any instructions are read
 7 to the jury and shall give the attorneys a reasonable opportunity, out of the pres-
 8 ence of the jury, to state their objections to the instructions proposed to be
 9 given and to the refusal of the court to incorporate into his charge any instruc-
 10 tions requested by either party. When instructions are asked which the judge
 11 can not incorporate into his charge he shall, on the margin thereof, write the
 12 word "refused," and on the margin of such as he approves he shall write the
 13 word "given," and shall incorporate the same into his charge, and he shall in no
 14 case qualify, modify or in any manner explain the same to the jury otherwise
 15 than in writing.

Sec. 29. GENERAL OR SPECIAL VERDICT—RESERVING POINT AND TAKING VERDICT

2 SUBJECT THERETO—SUBMITTING TO JURY ALTERNATIVE PROPOSITION.] In every trial
3 by jury in a civil action the jury may render, in their discretion, either a gen-
4 eral or a special verdict; and in any case in which they render a general ver-
5 dict they may be required by the court, and must be so required on request of
6 any party to the action, to find specially upon any material question or ques-
7 tions of fact which shall be stated to them in writing, which questions of fact
8 shall be submitted by the party requesting the same to the adverse party before
9 the commencement of the argument to the jury. The submission or refusal to
10 submit a question of fact to the jury when requested by the party as above
11 provided, may be reviewed on appeal or writ of error as a ruling on a ques-
12 tion of law. When a special finding of fact is inconsistent with a general ver-
13 dict the former shall control the latter and the court may render judgment ac-
14 cordingly. In any action at law tried before a jury, other than a criminal ac-
15 tion, if any one or more of the parties thereto moves the court to direct a ver-
16 dict on any point of law conclusive of the whole controversy, or of any substan-
17 tial portion thereof, and if the court be in doubt as to any such point of law, such
18 point shall be reserved and the verdict taken subject thereto and thereafter the
19 trial court, and any other court to which the case may be taken by appeal or
20 writ of error, may enter a judgment either upon the point so reserved, or upon
21 the verdict, as its view of the law on such reserved point may require. In
22 any action at law tried before a jury, if it appear to the court that a different
23 measure of relief or measure of damages should be applied to the case, depend-
24 ing upon which view of a doubtful question of law is ultimately ascertained to
25 be correct, the trial court shall have power and it shall be its duty to submit the
26 case to the jury upon each alternative and to take its verdict thereon with power
27 in the trial court, and in any court to which the cause may be taken on appeal
28 or writ of error, to render judgment upon the verdict taken upon that alternative
29 which is in accordance with the ultimate decision of the court in regard to such
30 doubtful question of law.

Sec. 30. NON-SUIT.] Every person desirous of suffering a non-suit shall be
 2 barred therefrom unless he do so before the jury retire from the bar, or, if
 3 the case is tried before the court without a jury, before the case is submitted for
 4 final decision.

Sec. 31. NEW TRIAL.] Any party dissatisfied with the verdict of a jury may
 2 move for a new trial by filing a motion in writing therefor with the clerk. The
 3 procedure with respect thereto may be as follows:

4 *First.* A new trial shall not be granted, either in the trial court or upon
 5 appeal or writ of error, on the ground that erroneous instructions were given
 6 to the jury or proper instructions refused to be given to them, or that evidence
 7 was improperly admitted or rejected, or that improper remarks were made in
 8 the presence of the jury by the court or an attorney of one of the parties, un-
 9 less, in the opinion of the trial court, or of the Appellate Court or Supreme Court,
 10 some substantial wrong or miscarriage has been thereby occasioned at the trial;
 11 and if it appear to such court that such wrong or miscarriage affects part only
 12 of the matter in controversy, or some or one only of the parties, the court may
 13 give final judgment as to part thereof, or some or one only of the parties, and
 14 direct a new trial as to the other part only or as to the other party or parties.

15 *Second.* A new trial may be ordered on any question, whatever be the
 16 grounds for the new trial, without interfering with the finding or decision upon
 17 any other question.

18 *Third.* A new trial shall not be granted on the sole ground of excessive
 19 damages unless the court shall have determined the amount of the excess and
 20 permitted the party in whose favor the verdict has been rendered to remit such
 21 excess, and in case such excess is remitted, the court shall reduce the verdict
 22 accordingly, deny the new trial and enter judgment for the proper amount.

Sec. 32. JUDGMENT BY CONFESSION.] Any person for a debt *bona fide* due
 2 may at any time confess judgment by himself or attorney duly authorized
 3 whenever a new trial is granted either party shall be entitled to have such new

4 trial take precedence, as near as may be, over the trial of other actions in which
5 trials have not theretofore been had, without process.

Sec. 33. ARREST OF JUDGMENT ABOLISHED.] No judgment shall hereafter be
2 arrested for any defect in the record of the proceedings, but when any defect
3 in any proceedings is brought to the attention of the court the court shall have
4 power to correct the same and to enter such judgment as may be in accordance
5 with the law and the evidence.

Sec. 34. EXCEPTIONS ABOLISHED.] All exceptions to rulings and decisions of
2 the court, from the commencement of an action until its final determination, in-
3 cluding exceptions to reports of masters in chancery, are hereby abolished. Ev-
4 ery ruling of the court during the progress of an action, other than an order;
5 judgment or decree entered upon the record, when such ruling appears to have
6 been made against the objection or contrary to the contention of the party com-
7 plaining thereof and which is authorized by law to be reviewed upon appeal or
8 writ of error, shall be subject to such review by the Supreme Court or appellate
9 court, as the case may be, and, in any criminal case, any ruling of the court by
10 which manifest injustice has been done to the defendant shall be subject to
11 review by the Supreme Court or appellate court notwithstanding no objection
12 may appear to have been made to such ruling by or on behalf of the defendant. In
13 every action at law tried by jury, or by the court without a jury, the verdict
14 of the jury or the finding of the court, as the case may be, and the judgment
15 entered thereon, shall be presumed to have been rendered, made or entered
16 against the objection of the party complaining thereof upon appeal or writ of
17 error, unless the contrary shall affirmatively appear from an entry upon the
18 record or from a report of the proceedings signed by the presiding judge, and
19 in every action in equity every report made by a master in chancery, and every
20 order or decree entered by the court, either upon a master's report, or upon a
21 hearing without a master's report, shall be presumed to have been made or
22 entered against the objection of the party complaining thereof upon appeal or
23 writ of error unless the contrary shall affirmatively appear from an entry upon

24 the record or from a report of the proceedings signed by the presiding judge,
 25 and in general, any order, judgment or decree entered in any action which ap-
 26 pears from the record to have been contrary to the right and justice of the case
 27 shall be presumed to have been entered against the objection of the party
 28 complaining thereof upon appeal or writ of error unless the contrary shall
 29 affirmatively appear from the record.

Sec. 35. COURTS TO BE ALWAYS OPEN.] Every term of every court of record,
 2 whether of original or appellate jurisdiction, shall continue until the commence-
 3 ment of the succeeding term thereof, and each of said courts shall be deemed
 4 always open for the transaction of business: *Provided, however,* that the ac-
 5 tual attendance upon said respective courts of the judges thereof at the re-
 6 spective places provided in pursuance of law for the holding of said courts shall,
 7 excepting as may be otherwise prescribed by law, only be required during such
 8 sessions of their respective courts as may be necessary for the prompt and prop-
 9 er disposition of the business thereof, the times of such sessions, until other-
 10 wise provided by law, to be fixed for each court by the judges thereof respec-
 11 tively.

Sec. 36. WHEN ORDER, JUDGMENT OR DECREE MAY BE VACATED, ETC.] Every
 2 order, judgment or decree of a court of record, final in its nature, shall be
 3 subject to be vacated, set aside or modified by the court by which the same has
 4 been entered upon the motion of, or petition for a rehearing by, either party,
 5 provided such motion or petition be filed in the court in which such order,
 6 judgment or decree has been entered within thirty (30) days after the entry
 7 of such order, judgment or decree: *Provided, however,* that all errors in fact in
 8 the proceedings in which such order, judgment or decree has been entered
 9 which might have been corrected at common law or by writ of error *coram*
 10 *nobis* may be corrected by motion, or the order, judgment or decree may be
 11 set aside, in the manner heretofore provided by law for similar cases.

Sec. 37. REPORT OF PROCEEDINGS.] Evidence heard and considered by the
 2 court in the entry of any order, judgment or decree, and all other proceedings

3 of the court which are not otherwise preserved in the record, may be preserved
4 in a report of the proceedings signed by the presiding judge, which report
5 may be prepared and tendered to the judge by either party to the action at
6 any time not more than sixty (60) days after the final determination of the ac-
7 tion, or within such further time as may be allowed by the court, or by any
8 judge thereof, upon application therefor made within such sixty days, or within
9 the period of any extension of time thereafter granted. Such report may be settled
10 in the manner heretofore customary with respect to the settlement of a bill of ex-
11 ceptions or a certificate of evidence and shall be amendable at any time, either in
12 the court of original jurisdiction, or in the appellate or Supreme Court, so as to
13 correctly present the proceedings of such court of original jurisdiction and to en-
14 able the appellate court, or the Supreme Court, as the case may be, to properly re-
15 view the same: *Provided, however,* that the amendment of reports in the appellate
16 and Supreme Courts shall be regulated by rules to be adopted by the Supreme
17 Court. Any report purporting to set forth evidence heard or considered by the
18 court shall be presumed to contain all the evidence so heard or considered un-
19 less the contrary shall affirmatively appear from such report. The judge may,
20 in any case, shorten the time for preparing, tendering and settling such report
21 when such course may appear to be necessary to secure a speedy disposition of an
22 appeal. The judge may, also, for the purposes of an interlocutory appeal, upon
23 the application of the party appealing, limit the report to a brief statement of
24 the matters necessary to be considered by the appellate court or the Supreme
25 Court, as the case may be, in determining the appeal, and in such case the report
26 and the order appealed from may constitute the record for the purposes of the
27 appeal; and the judge may also, by agreement of the parties, make a like report to
28 be used for the purpose of reviewing a final order, judgment or decree. In case
29 of the death, sickness or other disability of the judge whose duty it is to settle
30 any report of proceedings, the same may be settled and signed by any other judge
31 of the court. In case of the absence from the county of a judge to whom a report
32 ought to be tendered, or when the same cannot be conveniently tendered to him,
33 it may be tendered to the clerk of the court with the same effect as if the same had

34 been tendered to the judge, and the clerk shall notify the judge thereof as soon
 35 as may be practicable and shall give notice to the attorneys of the other parties
 36 to the action by mail. The acceptance of such tender by the clerk shall be
 37 deemed conclusive evidence of the absence of the judge from the county or that
 38 such report could not be conveniently tendered to him.

Sec. 38. ORDERS, JUDGMENTS AND DECREES REVIEWABLE BY SUPREME AND AP-
 2 PELLATE COURTS.] All orders, judgments and decrees of county courts, probate
 3 courts, city courts, the municipal court of Chicago, circuit courts, the superior
 4 court of Cook County and the criminal court of Cook County, in all actions at
 5 law or in equity, and also in all special statutory proceedings where the right of
 6 appeal or writ of error is or may be given by statute, excepting in those
 7 cases in which appeals from county courts and probate courts may be allowed
 8 by law from time to time to be taken to circuit courts or to the superior court
 9 of Cook County, may be reviewed by the Supreme Court and the appellate
 10 courts in the manner and to the extent hereinafter provided. Appeals may be
 11 taken to, or writs of error may be sued out of, the Supreme Court to review the
 12 final orders, judgments and decrees of county courts, probate courts, city courts,
 13 the municipal court of Chicago, circuit courts, the superior court of Cook Coun-
 14 ty and the criminal court of Cook County, in the following of the actions at law
 15 or in equity, and special statutory proceedings aforesaid, other than those final
 16 orders, judgments and decrees of county courts and probate courts which may be
 17 made reviewable by law from time to time by appeals to circuit courts and the su-
 18 perior court of Cook County, to-wit: (a) every action involving the validity of any
 19 statute of this State or of the United States, (b) every action involving the con-
 20 struction of the Constitution of this State or of the Constitution of the United
 21 States, (c) every action involving any question the decision of which either party
 22 to the action may be entitled to have reviewed upon writ of error by the
 22½ Supreme Court of the United States, (d) every criminal action in which
 23 the punishment may be death or confinement in the penitentiary, (e) every
 24 habeas corpus action or proceeding, (f) every action involving a franchise, (g)

every action involving a freehold, (*h*) every action relating to the revenue, (*i*) every action in which the State is interested as a party or otherwise, (*j*) every proceeding for the collection of taxes or the levy or collection of special assessments or special taxes, (*k*) every action or proceeding for the exercise of the right of eminent domain, (*l*) every proceeding for the sale of real estate of a deceased person for the payment of debts, or for the sale of real estate of a minor or other person under disability, (*m*) every proceeding for the contesting of an election, and (*n*) every action in which the validity of a municipal ordinance is involved and in which the trial judge shall certify that in his opinion the public interest so requires; and the Supreme Court shall also have jurisdiction to review by appeal the interlocutory orders, judgments and decrees of county courts, probate courts, city courts, the municipal court of Chicago, circuit courts, the superior court of Cook County and the criminal court of Cook County, by appeals to be prosecuted in the discretion of the Supreme Court, in the classes of cases specified in this section in which appeals to and writs of error from the Supreme Court are allowed to be prosecuted to review the final orders, judgments and decrees of said several courts, together with such other appellate jurisdiction, if any, as may be conferred by the laws in force at the time this Act shall become operative and not inconsistent herewith. Each appellate court shall have jurisdiction to review by appeals or writs of error the final orders, judgments and decrees of county courts, probate courts, city courts, the municipal court of Chicago, circuit courts, the superior court of Cook County and the criminal court of Cook County, excepting in those cases in which appeals or writs of error may by the provisions of this Act, or of any Act hereafter passed, from time to time, be allowed as a matter of right, to be taken to or sued out of the Supreme Court, and excepting also in those cases in which appeals from county courts and probate courts may be allowed by law, from time to time, to be taken to circuit courts or to the superior court of Cook County, and shall also have jurisdiction to review by appeal all interlocutory orders, judgments and decrees of said inferior courts entered in those classes of cases in which appeals to and writs of error from the appellate courts are allowed by this section to be prose-

53 ented to review the final orders, judgments and decrees of said several courts.
 54 Any such appeal from any interlocutory or final order, judgment or decree may
 55 be taken to, or any such writ of error prosecuted from, the appellate court of the
 56 district in which the court from which the appeal or to which the writ of error is
 57 prosecuted is situated, or, by agreement of the parties, the appellate court of
 58 any other district. An interlocutory order, judgment or decree in any action
 59 shall be reviewed by an appellate court by appeal only, such appeal to be allow-
 60 able, not as a matter of right, but only in the discretion of the appellate court,
 61 or of one of the judges thereof, such discretion to be exercised in the manner
 62 hereinafter provided. In all other cases of appeals and writs of error to review
 63 final orders, judgments and decrees of which the appellate courts are given juris-
 64 diction by this Act, such appeals and writs of error shall be allowed as a matter
 65 of right. The Supreme Court shall have jurisdiction to review the final orders,
 66 judgments and decrees of the appellate courts (a) by appeals and writs of error
 67 to be prosecuted as a matter of right in all criminal cases, (b) by appeals to be
 68 prosecuted in the discretion of the appellate courts, or of any one or more of the
 69 judges thereof, in all actions for the recovery of, or for other relief with respect
 70 to, money only, or other personal property only, or both money and personal
 71 property, when the sum or value in controversy does not exceed two thousand
 72 dollars (\$2,000), exclusive of costs, or in the discretion of the Supreme Court
 73 in any such action when there is a *bona fide* controversy respecting the jurisdic-
 74 tion of the appellate court therein, and (c) by appeals to be prosecuted in the
 75 discretion of the Supreme Court in all other actions and proceedings.

Sec. 39. MANNER OF PERFECTING AN APPEAL WHEN PROSECUTION THEREOF IS
 2 MATTER OF RIGHT—NO DISMISSAL FOR DEFECT.] An appeal from an inferior court
 3 to the Supreme Court or Appellate Court, when the prosecution thereof is a mat-
 4 ter of right, may be obtained by filing with the clerk of the court in which
 5 the order, judgment or decree proposed to be appealed from has been entered,
 6 within twenty (20) days after the entry of such order, judgment or decree, of
 7 a motion in writing for such appeal and the filing thereafter with said clerk,

8 within such time as the court may prescribe, which time shall be not less than
9 ten (10) days after the filing of such motion in writing, of an appeal bond in
10 such reasonable sum and with such conditions as the court may deem necessary
11 to secure the adverse party, such bond to be approved by the judge, or, if the
12 judge so direct, by the clerk of the court. Such appeal may be allowed by the
13 endorsement of such allowance by the judge upon the motion for the appeal
14 and such bond may be approved by the endorsement by the judge of such ap-
15 proval upon such bond, or such allowance of the appeal or approval of the bond
16 may be made by an order or orders entered of record: *Provided, however,* that
17 no appeal bond shall be required of the State, or of any county, city, village,
18 town, school district or other municipal or quasi-municipal corporation, or of any
19 corporation of any charitable, educational, penal or reformatory institution un-
20 der the patronage and control of the State, or of any public officer, when suing
21 or defending in his official capacity for the benefit of the public. No appeal shall
22 be dismissed for any defect in the motion for the appeal or the allowance thereof,
23 or for any defect or insufficiency in the appeal bond, but the court to which the
24 appeal is taken shall have power to correct any such defect in such motion or in
25 the allowance thereof, and may allow the party appealing to file a new and
26 sufficient bond.

Sec. 40. DISCRETIONARY APPEALS FROM APPELLATE COURT TO SUPREME COURT
2 FROM FINAL ORDERS, ETC.] An appeal to the Supreme Court from a final order,
3 judgment or decree of an Appellate Court when the allowance thereof is discre-
4 tionary with the Supreme Court, may be prosecuted in the manner hereinafter
5 prescribed. Within twenty (20) days after the entry of the order, judgment or
6 decree proposed to be appealed from the party proposing to appeal shall file
7 with the clerk of the Appellate Court a notice of his intention to prosecute such
8 appeal. Within thirty (30) days after the entry of the order, judgment or de-
9 cree of the Appellate Court proposed to be appealed from the party propos-
10 ing to appeal shall cause to be filed with the clerk of the Supreme Court a mo-
11 tion for the allowance of such appeal and an authenticated record of the or-

12 der, judgment or decree proposed to be appealed from: *Provided, however,* that
 13 the Supreme Court may extend the time for the filing of such motion or for the
 14 filing of the authenticated record. The further proceedings for the disposition
 15 of the appeal shall be regulated by rules to be adopted by the Supreme Court:
 16 *Provided, however,* that the question of the allowance or denial of any such ap-
 17 peal shall be determined upon the *ex parte* application of the party praying such
 18 appeal, who shall be allowed to present to the court a full and complete argu-
 19 ment of the case upon its merits. The authenticated record of the order, judg-
 20 ment or decree proposed to be appealed from shall consist of the original authen-
 21 ticated record filed in the Appellate Court of the orders, judgments or decrees
 22 of the inferior court and a certified transcript of the proceedings of the Appel-
 23 late Court. Final orders, judgments and decrees of the Appellate Court, within
 24 the meaning of the provisions of this Act relating to appeals to and writs of
 25 error from the Supreme Court to review final orders, judgments and decrees of
 26 the Appellate Court, shall include (a) every order, judgment or decree affirm-
 27 ing an order, judgment or decree of the inferior court, (b) every order, judg-
 28 ment or decree reversing, in whole or in part, or modifying an order, judg-
 29 ment or decree of the inferior court and entering a final order, judgment or
 30 decree in lieu thereof, (c) every order, judgment or decree reversing an order,
 31 judgment or decree of the inferior court and remanding an action to the inferior
 32 court for a new trial or hearing, (d) every order, judgment or decree dismis-
 33 sing an appeal from or writ of error to an inferior court, and (e) every other
 34 order judgment or decree which has heretofore been regarded as final.

Sec. 41. APPEALS FROM INTERLOCUTORY ORDERS.] An appeal to an Appel-
 2 late Court to review an interlocutory order, judgment or decree of an inferior
 3 court may be allowed by the Appellate Court, or by any judge thereof, in its
 4 or his discretion, and it shall be the duty of the Appellate Courts and the judges
 5 thereof to allow appeals from interlocutory orders in all cases where there is
 6 reasonable ground to believe that such orders are erroneous and may work in-
 7 justice to the parties complaining thereof, or that the review thereof by the Ap-
 8 pellate Court may facilitate the final determination of the action according to

9 right and justice, or relieve the parties from an unnecessary waste of time and
10 money. An application for an appeal from an interlocutory order, judgment or
11 decree may be made to the appellate court, or to any judge thereof, at any
12 time within twenty (20) days after the entry of the order, judgment or decree
13 proposed to be appealed from. Such appeal may be allowed either with or
14 without a stay of proceedings of the inferior court and when allowed with such
15 stay of proceedings it shall be upon such terms as to security or otherwise as the
16 court or judge may deem just and right, or as may be prescribed by the rules of
17 the Appellate Court, and the court or judge allowing the appeal shall have power
18 to make all such orders as may be necessary to secure to the party appealing the
19 right to prosecute the same. In case of the allowance of an appeal as an appeal
20 from an interlocutory order, judgment or decree, when in fact such order, judg-
21 ment or decree shall be determined to be a final order, judgment or decree, the
22 appeal shall not on that account be dismissed, but the same shall be treated as an
23 appeal from a final order, judgment or decree upon compliance by the party ap-
24 pealing with such terms as the Appellate Court may deem just and right. An
25 appeal to the Supreme Court to review an interlocutory order, judgment or
26 decree of an inferior court may be allowed in the discretion of the Supreme
27 Court upon a motion in writing for such appeal filed with the clerk of the Su-
28 preme Court within twenty (20) days after the entry of the order, judgment or
29 decree proposed to be appealed from, and such appeal shall be allowed or de-
30 nied as the Supreme Court shall deem just and right, and the Supreme Court
31 shall have power to regulate by rule the procedure with respect to such ap-
32 peals. The hearing and disposition of appeals from interlocutory orders shall
33 take precedence over all other business of the Supreme Court and the Appellate
34 Courts to such an extent as may be found practicable.

Sec. 42. MANNER OF PERFECTING AN APPEAL FROM APPELLATE COURT TO SU-

2 PREME COURT WHEN PROSECUTION THEREOF IS A MATTER OF RIGHT—NO DISMISSAL FOR
3 DEFECT.] An appeal from the Appellate Court to the Supreme Court, when the
4 prosecution thereof is a matter of right, may be obtained by filing with the

5 clerk of the Appellate Court in which the order, judgment or decree proposed
 6 to be appealed from has been entered, within twenty (20) days after the entry
 7 of such order, judgment or decree, of a motion in writing for such appeal and
 8 the filing thereafter with said clerk, within such time as the court may prescribe,
 9 which time shall be not less than ten (10) days after the filing of such motion
 10 in writing, of an appeal bond in such reasonable sum and with such conditions
 11 as the court may deem necessary to secure the adverse party, such bond to be
 12 approved by the court or by any judge thereof, or if any judge thereof so
 13 direct, by the clerk of the court: *Provided, however,* that no appeal bond shall
 14 be required of the State, or of any county, city, village, town, school district
 15 or other municipal or quasi-municipal corporation, or of any corporation of any
 16 charitable, educational, penal or reformatory institution under the patronage and
 17 control of the State, or of any public officer, when suing or defending in his official
 18 capacity for the benefit of the public. Such appeal may be allowed by the endorse-
 19 ment of such allowance by any judge of the Appellate Court upon the motion
 20 for the appeal and such bond may be approved by the endorsement by the
 21 judge of such approval upon such bond, or such allowance of the appeal or ap-
 22 proval of the bond may be made by an order or orders entered of record. No
 23 appeal shall be dismissed for any defect in the motion for the appeal or the
 24 allowance thereof, or for any defect or insufficiency in the appeal bond, but the
 25 court to which the appeal is taken shall have power to correct any defect in such
 26 motion or in the allowance thereof and may allow the party appealing to file a
 27 new and sufficient bond.

Sec. 43. PROSECUTION OF WRIT OF ERROR — PRAECIPE — SUMMONS—PUBLICATION

2 OF NOTICE.] The prosecution of a writ of error from the Appellate Court or
 3 Supreme Court shall be commenced by the filing in the Appellate Court or Su-
 4 preme Court, as the case may be, of a praecipe for a writ of error specifying
 5 the names of the parties to the action the proceedings in which are sought to
 6 be reviewed, the court to which the writ of error is prosecuted, and the name,
 7 names or other specifications of the person or persons prosecuting the writ of

8 error, and directing the clerk to issue a writ of error and, if the parties, or any
9 of them, are to be summoned or otherwise notified of the pendency of the writ
10 of error, directing the clerk to issue a summons, or publish a notice, as the case
11 may be, to all the parties to the action other than those suing out the writ of
12 error, and specifying the day on or before which the other parties to the action
13 are to be required to appear, which day shall be some Tuesday not less than
14 twenty (20) nor more than forty (40) days from the filing of the praecipe, in
15 case the parties are to be served with summons, or on some Tuesday not less
16 than forty (40) nor more than sixty (60) days after the first publication of
17 notice, in case the parties are to be notified by publication of notice. In case
18 of the substitution of parties the names of the parties shall be given as they
19 appear after such substitution and the praecipe shall state the names of the
20 original parties to the action as they appeared before such substitution was
21 made. A writ of error shall not be brought after the expiration of three years
22 from the rendition of the order, judgment or decree complained of; but when a
23 person thinking himself aggrieved by any order, judgment or decree that may be
24 reversed in the Supreme Court or appellate court shall be an infant, *non com-*
25 *pos mentis* or under duress when the same was entered, the time of such disabil-
26 ity shall be excluded from the computation of said three years. The provisions of
27 this Act are not intended to and are not to be construed to amend, repeal or alter
28 any of the provisions of any existing statute concerning the time within which
29 or the terms upon which writs of error may be sued out to review orders, judg-
30 ments and decrees in special statutory proceedings or to grant any right of re-
31 view in such proceedings where such right is not expressly given by law.

Sec. 44. CLERK TO ISSUE WRIT OF ERROR—WHERE WRIT OF ERROR TO BE FILED—

2 WHEN SUMMONS NEED NOT BE SERVED.] Upon the filing of a praecipe for a writ
3 of error the clerk shall issue and deliver the writ of error to the parties suing
4 out the same. Every writ of error must be filed in the court whose final order,
5 judgment or decree is sought to be reviewed within ten (10) days after the
6 same has been sued out. When any such writ of error shall be sued out in any

7 criminal action and filed as aforesaid, the clerk of the court in which the same
 8 is filed shall notify the state's attorney of the county in which such court is held
 9 that the same has been so filed and such state's attorney shall cause the ap-
 10 pearance of the people to be entered in such action in the court from which
 11 such writ of error is sued out. When any writ of error in any other than a
 12 criminal action is filed in the inferior court within thirty (30) days after the
 13 entry of any order, judgment or decree sought to be reviewed thereby, all par-
 14 ties to the action in which such final order, judgment or decree has been ren-
 15 dered, or who are bound or in any manner affected by such final order, judg-
 16 ment or decree, shall be affected with notice of the prosecution of such writ of
 17 error and shall be bound to enter their appearance in the court from which said
 18 writ of error has been issued within fifty (50) days after the entry of such
 19 order, judgment or decree, and in default of such appearance they shall be
 20 bound by the proceedings of the Appellate Court or Supreme Court, as the case
 21 may be, upon such writ of error. The clerk of the court in which such writ of
 22 error is filed shall notify, by mail or otherwise, the attorneys of record
 23 of the parties to the action of the filing of the same, but the failure of the
 24 clerk to give such notice shall in no manner affect the prosecution of the writ
 25 of error.

Sec. 45. SERVICE OF SUMMONS—UPON WHOM, HOW AND BY WHOM MADE—
 2 PROOF OF SERVICE OF SUMMONS—TIME FOR APPEARANCE—NEW SUMMONS.] Service
 3 of the summons in case of a writ of error shall be made upon the person or per-
 4 sons therein summoned in the same manner, as near as may be, as a summons
 5 issued in an action at law commenced in a circuit court: *Provided, however,*
 6 that when any party shall have appeared by attorney in the court to which the
 7 writ of error is directed, service of such summons may be made upon such at-
 8 torney with the same effect as if made upon such party. Such summons may
 9 be served by any sheriff or deputy sheriff, or by any coroner or deputy coroner,
 10 in case the sheriff is disqualified to act, or by any person over the age of twenty-
 11 one years not a party to the action. When service of any such summons is made

12 by any such sheriff, deputy sheriff, coroner or deputy coroner, proof of such ser-
13 vice may be made by the return of such officer endorsed upon such summons and
14 signed by him showing the time, place and manner of service. When such ser-
15 vice is made by any person other than a sheriff, deputy sheriff, coroner or dep-
16 uty coroner, proof of such service shall be made by the affidavit of the person
17 making such service endorsed on such summons or attached thereto, which affi-
18 davit shall give the name, place of residence, age and occupation of the person
19 making such service and shall set forth the date, place and manner of such ser-
20 vice. When the service of any summons is not had ten (10) days or more prior
21 to the day fixed therein for the appearance of the party served, the time for the
22 appearance of such party shall be extended ten (10) days, and when the same
23 is not served before the day fixed therein for the appearance of the defendant a
24 new summons may be issued and served.

Sec. 46. NOTICE BY PUBLICATION.] Whenever any party to any writ of er-
2 ror, or his agent or attorney, shall file in the office of the clerk of the appellate
3 court, or Supreme Court, as the case may be, an affidavit showing that any
4 party to the writ of error resides or has gone out of this State, or on due inquiry
5 cannot be found, or is concealed within this State so that process cannot be
6 served upon him, and stating the place of residence of such party, if known,
7 and also the place of residence of the attorneys who appeared for such party
8 in the inferior court, or that upon diligent inquiry their places of residence can-
9 not be ascertained, the clerk of the appellate court, or Supreme Court, as the
10 case may be, shall cause publication to be made in some newspaper published
11 in the county in which the action was originally instituted, or, if no newspaper
12 shall be published in such county, then in a newspaper published nearest to such
13 county, containing notice of the pendency of the writ of error, the court in
14 which it is pending, the names of the parties thereto and the place and the day
15 on or before which such party is required to appear, which day shall be some
16 Tuesday not less than forty (40) nor more than sixty (60) days after the date
17 of the first publication of notice as the party suing out such writ of error may

18 require; and the clerk shall also within ten (10) days after the first publica-
 19 tion of such notice send a copy thereof by mail addressed to such party and the
 20 attorneys whose place of residence are stated in such affidavit. The certificate
 21 of the clerk that he has sent such notice in pursuance of this section shall be
 22 evidence. Such notice shall be published for four consecutive weeks and the
 23 first insertion thereof shall be at least forty (40) days before the day on or be-
 24 fore which the party is required to appear. A like publication shall be made in
 25 case there are parties to such writ of error whose names are unknown to the
 26 party suing out the same upon the filing by him with the clerk of the appellate
 27 court, or Supreme Court, as the case may be, of an affidavit setting forth that
 28 the names of such persons are unknown.

Sec. 47. STAY OF PROCEEDINGS UPON WRIT OF ERROR—HOW OBTAINED.] Upon
 2 the suing out of any writ of error in any other than a criminal action and the
 3 filing of the same in the court in which the final order, judgment or decree
 4 sought to be reversed has been entered, the court which has entered such final
 5 order, judgment or decree shall, upon the application of the party prosecuting
 6 such writ of error, enter an order staying proceedings thereunder until the
 7 further order of the court, or until the filing in such court of a certified copy
 8 of an order, judgment or decree, of the appellate court, or Supreme Court,
 9 affirming such order, judgment or decree, or dismissing such writ of error,
 10 upon the filing in such court which has entered such final order, judgment or
 11 decree by the party suing out such writ of error of a bond in such sum and with
 12 such security as may be approved by the court, conditioned, as near as may be,
 13 as would be required in case of an appeal bond upon an appeal from such final
 14 order, judgment or decree. When the writ of error is prosecuted to review a
 15 judgment in a quasi criminal action brought by a municipal corporation for the
 16 violation of a municipal ordinance the party prosecuting the writ of error may,
 17 in lieu of tendering a bond as above provided for, enter into a recognizance in
 18 such sum and with such security as may be approved by such court, conditioned
 19 for his surrender to the proper officer in case the judgment sought to be re-

20 versed by the writ of error shall be affirmed by the appellate court or Supreme
21 Court. In any criminal action the Supreme Court, or appellate court, or any
22 judge thereof may grant a stay of proceedings during the pendency of the writ
23 of error and may also release the defendant from custody until the final deter-
24 mination thereof upon such terms as the court may deem fit.

Sec. 48. SUBSTITUTION OF PARTIES.] When before or after the perfecting
2 of any appeal or the suing out of any writ of error any party to the record
3 shall have died, or when any person, being a party to such action in a repre-
4 sentative capacity, or as an officer or trustee, shall have departed this life or
5 been removed from his office or trusteeship, or for any other reason shall have
6 ceased to be such representative, officer or trustee, and a successor shall have
7 been appointed, the heir, devisee, legal representative or successor in office or
8 trust of any such deceased party, or party who has been removed from his
9 office or trusteeship, or for any other reason shall have ceased to be such rep-
10 resentative, officer or trustee, may be substituted as a party for the purpose of
11 the prosecution and final determination of an appeal or writ of error in such
12 manner as the Supreme Court may by rule prescribe.

Sec. 49. WHEN AUTHENTICATED RECORD TO BE FILED.] The authenticated
2 record of a final order, judgment or decree appealed from, when such appeal is
3 taken to an appellate court, or when the same is taken to the Supreme Court
4 from a court inferior to the appellate court, shall be filed in the office of the
5 clerk of the appellate court, or Supreme Court, as the case may be, within forty
6 (40) days after the entry of such final order, judgment or decree, unless the
7 court appealed from or one of the judges thereof, by an order applied for within
8 said forty (40) days shall grant further time for the filing of the same, or unless
9 additional time for the filing of the same shall be allowed by the appellate court,
10 or one of the judges thereof or the Supreme Court, or one of the judges thereof
10½ as the case may be. The authenticated record of an order, judgment or decree
11 sought to be reviewed by writ of error, when such writ of error is sued out of
12 an appellate court, or when the same is sued out of the Supreme Court to a

13 court inferior to the appellate court, shall be filed in the office of the clerk of
 14 the appellate court, or Supreme Court, as the case may be, within thirty (30)
 15 days after the suing out of such writ of error, unless additional time for the
 16 filing of such authenticated record shall be allowed by the appellate court, or one
 17 of the judges thereof, or the Supreme Court, or one of the judges thereof, as the
 18 case may be, or by the court, or one of the judges thereof, to which such writ of
 18½ error is prosecuted. The authenticated record of an interlocutory order, judgment
 19 or decree appealed from shall be filed in the office of the clerk of the Supreme
 20 Court or appellate court within thirty (30) days after the entry of the order
 21 appealed from, unless additional time for the filing of such authenticated record
 22 shall be allowed by the Supreme Court, or one of the judges thereof or the appel-
 23 late court, or one of the judges thereof, by an order applied for within said
 24 thirty (30) days. In case the authenticated record of an order, judgment or de-
 25 cree appealed from, or sought to be reviewed by writ of error, shall not be filed
 26 in the office of the clerk of the appellate court, or Supreme Court, as the case
 27 may be, within the time specified in this section, such appeal shall be deemed
 28 abandoned, or such writ of error shall be dismissed: *Provided, however, that,*
 29 when the failure to file such authenticated record within the time thus specified
 30 shall appear to have been the result of accident or mistake, the appellate court,
 31 or one of the judges thereof, or the Supreme Court, or one of the judges thereof,
 32 as the case may be, may, in its discretion, permit the filing of the same after the
 33 lapse of the time so specified. The appellate court, or the Supreme Court, as the
 34 case may be, may in any case, shorten the time within which the authenticated
 35 record must be filed and hasten the hearing and final determination of an ap-
 36 peal or writ of error and may make all necessary orders therefor.

Sec. 50. HOW RECORD PREPARED AND AUTHENTICATED—EXCEPTION AS TO CRIM-
 2 INAL CASES.] The authenticated record of a court inferior to the appellate court
 3 of an order, judgment or decree appealed from or sought to be reviewed by
 4 writ of error, shall consist of copies of all such papers on file in the action and
 5 of all such entries upon the record as may appear to be necessary to as prop-

erly and fully present to the appellate court or Supreme Court, as the case may be, the questions sought to be raised upon such appeal or writ of error as the same were presented in the inferior court and to enable the appellate court, or Supreme Court, as the case may be, to properly determine the same. When, after the filing in the appellate court, or Supreme Court, as the case may be, of such authenticated record, any party to the action shall be of the opinion that material papers or record entries have been omitted from such record, he may cause authenticated copies of such additional papers and record entries as he may deem material to be filed in the appellate court, or Supreme Court, as the case may be and the same may be considered by the appellate court, or Supreme Court, as the case may be, in the determination of such appeal or writ of error, or the appellate court, or Supreme Court, as the case may be, may of its own motion or upon the motion of any party, in any case require the filing in such court of authenticated copies of additional papers and record entries in the action by the party prosecuting the appeal or writ of error. If any such party shall insert in the authenticated record or cause to be filed in the appellate court, or Supreme Court, as the case may be, copies of papers or record entries in the action which are not material to the determination of the appeal or writ of error he shall recover no costs on account of such papers or record entries. If the party prosecuting the appeal or writ of error shall omit from the authenticated record any paper or record entry which is plainly material to the determination of such appeal or writ of error, the court may tax against him and in favor of the opposite party to the appeal or writ of error such sum as costs as the appellate court, or Supreme Court, as the case may be, may deem just and right. A record or any portion thereof may be authenticated by the certificate of the clerk of the court from which the appeal or to which the writ of error is prosecuted, that the copies contained in such authenticated record or otherwise filed in such appellate court, or Supreme Court, as the case may be, are true and correct copies of the papers and record entries of which they purport to be such copies, or, in case the original files, or any portion thereof, are inserted in the authenticated record, such certificate shall so state. Any party

37 desiring such authenticated record may furnish to the clerk true copies of all or
 38 any portion of the papers and record entries to be inserted therein, in which case
 39 the charge of the clerk for comparing and certifying the same shall be three cents
 40 for each one hundred words. It shall be unnecessary for any party to copy any
 41 master's report, deposition, bill of exceptions, certificate of evidence or report
 42 of proceedings, but such party shall have the right to file in the appellate court,
 43 or Supreme Court, as the case may be, as a part of the authenticated record or
 44 otherwise, the original or originals thereof, and after the determination of the
 45 appeal or writ of error any original paper so filed in the appellate court, or Su-
 46 preme Court, as the case may be, shall be returned by the clerk thereof to the
 47 clerk of the inferior court in which it belongs. When original papers are in-
 48 serted in any authenticated record such authenticated record shall be transmit-
 49 ted by the clerk of the inferior court to the clerk of the appellate court, or Su-
 50 preme Court, as the case may be, upon the payment by the party appealing or
 51 suing out the writ of error of the costs of the clerk of such inferior court and
 52 the expense of transmitting such authenticated record to the clerk of the appel-
 53 late court, or Supreme Court, as the case may be. The provisions of this section
 54 shall not apply to criminal cases, but in every such case the authenticated record
 55 shall be a full and complete transcript of the record of the proceedings of the
 56 inferior court, excepting that the original bill of exceptions or report of the pro-
 57 ceedings shall be inserted therein in lieu of a copy thereof, and such record shall
 58 be duly certified by the clerk of the inferior court: *Provided, however,* that no
 59 person prosecuting a writ of error in a criminal action shall be required to pay
 60 any fees for any transcript to be used in prosecuting such writ unless the judg-
 61 ment sought to be reversed thereby shall be affirmed by the Supreme Court, and
 62 in case the judgment is reversed, or in case the same is affirmed and the costs
 63 are not collected from the defendant, the fees for the transcript shall be paid to
 64 the clerk out of the county treasury to be accounted for by him as other costs
 65 collected.

Sec. 51. SEPARATE APPEALS BY DIFFERENT PARTIES.] When separate appeals

2 are taken by different parties from the same order, judgment or decree such ap-

3 peals shall be docketed in the appellate court, or Supreme Court, as the case
4 may be, as one case and shall be heard together, and the clerk's fees and the
5 cost of printing the record, or an abstract or abridgment thereof, shall be ap-
6 portioned between or among the parties appealing in such manner as the Ap-
7 pellate Court, or Supreme Court, as the case may be, may, by general rule or
8 otherwise, provide.

Sec. 52. WHEN APPEAL OR WRIT OF ERROR BY ONE PARTY SHALL STAND AS AP-
2 PEAL OR WRIT OF ERROR BY ANOTHER PARTY.] When any party to an order, judg-
3 ment or decree shall have perfected an appeal therefrom or shall have sued out
4 a writ of error to review the same, any other party to the action, in lieu of the
5 prosecution of a separate appeal or writ of error, may file in the Appellate
6 Court, or Supreme Court, as the case may be, a notice in writing that such
7 party intends to complain of errors prejudicial to such party in the order, judg-
8 ment or decree sought to be reviewed by such appeal or writ of error, or in any
9 other order, judgment or decree entered in such action; and, in case of the filing
10 of such notice, such appeal or writ of error shall not be dismissed excepting
11 with the consent of the party filing such notice; but such notice shall not op-
12 erate as a stay of proceedings in favor of the party filing the same, unless such
13 party shall execute and file in the inferior court or in the Appellate Court, or
14 Supreme Court, as the case may be, a bond in such sum and with such security
15 as may be required and approved by the court, conditioned, as near as may be,
16 as an appeal bond. Upon the filing of such notice a copy thereof shall be served
17 upon the party appealing or suing out the writ of error or upon his attorney of
18 record, and, when practicable, upon every other party or group of parties, or
19 their attorneys, entering a separate appearance in the action, and thereupon the
20 party filing the same shall be at liberty to complain of and demand relief from
21 errors in the proceedings to the same extent as if he had prosecuted an appeal
22 or sued out a writ of error in such action. The Supreme Court, or Appellate
23 Court, as the case may be, may, in its discretion, in any such case, require the
24 party giving such notice to contribute to the expense of procuring the authenti-
25 cated record for the purpose of such appeal or writ of error.

Sec. 53. ALL ORDERS TO BE SUBJECT TO REVIEW AT INSTANCE OF EITHER PARTY.]

2 In every case of an appeal, as well as in every case of a writ of error, the
3 party prosecuting such appeal or writ of error, or any other party to the rec-
4 ord, shall be entitled to obtain a review of every order, judgment or decree con-
5 tained in the record, and such review shall include as well questions of fact
6 as questions of law.

Sec. 54. WHEN ACTION TO BE REMANDED IN CASE OF TRIAL BY JURY.] When-

2 ever in an action tried by jury the Appellate Court, or the Supreme Court, shall
3 reverse the judgment of the inferior court entered upon a verdict in favor of
4 the plaintiff, on the ground that the verdict of the jury was contrary to the evi-
5 dence or to the law and the evidence, the action shall be remanded to the inferior
6 court for a new trial by jury unless the evidence introduced upon the trial was
7 such that it did not tend to establish each of the ultimate facts essential to sup-
8 port the verdict and the Appellate Court or Supreme Court, as the case may be,
9 is satisfied that upon a retrial of the action the plaintiff will not be able to in-
10 troduce evidence tending to prove each of such ultimate essential facts.

Sec. 55. ASSIGNMENTS OF ERROR ABOLISHED.] Assignments of error are here-

2 by abolished and in lieu thereof any party to an appeal or writ of error shall
3 have the right in his printed brief to bring to the attention of the Appellate Court
4 or Supreme Court, as the case may be, all errors in the proceedings of the in-
5 ferior court appearing in the record and it shall be the duty of the Appellate
6 Court, or Supreme Court, as the case may be, to consider all such alleged
7 errors and to render such decision with respect thereto as may appear to be just
8 and right.

Sec. 57. DECISIONS TO BE ACCORDINGS, ETC., UNNECESSARY.] The pleas of re-

2 lease of errors and statute of limitations in cases of appeals and writs of error
3 are hereby abolished. Whenever, since the entry of any order, judg-
4 ment or decree by an inferior court, a length of time has elapsed or matters
5 have occurred which is or are sufficient to bar the prosecution of an appeal or
6 writ of error to reverse such order, judgment or decree or any portion thereof,

7 such lapse of time or matters may be presented to the Appellate Court, or Su-
8 preme Court, as the case may be, by petition or otherwise and the Appellate
9 Court, or Supreme Court, as the case may be, may take such action with re-
10 spect thereto as may appear to be just and right, but the bringing of such
11 lapse of time or matters to the attention of the Appellate Court, or Supreme
12 Court, as the case may be, shall in no case affect the right of the party so
13 bringing them to the attention of the court to insist that the order, judgment or
14 decree is not erroneous.

Sec. 56. PLEAS OF RELEASE OF ERROR TO RIGHT AND JUSTICE—POWERS.] The
2 Supreme Court and each Appellate Court shall determine all cases brought be-
3 fore them according to the very right and justice thereof and to that end shall
4 have the following powers:

5 *First*—DISREGARD OF IMMATERIAL ERRORS.] To disregard all such errors in
6 the proceedings of an inferior court as may be so disregarded without depriv-
7 ing the party complaining of such error of some substantial right.

8 *Second*—AMENDMENTS.] To make all amendments, both in the record of
9 its own proceedings and in the record of the proceedings of an inferior court,
10 which may appear to be necessary or proper for the speedy attainment of jus-
11 tice and to correct all mistakes and omissions occurring in any such record and,
12 for that purpose, to receive any evidence which, in the opinion of the court, is sat-
13 isfactory evidence of such mistakes and omissions.

14 *Third*—ORDER TO INFERIOR COURT.] To make any order for such action of the
15 inferior court, or of any judge thereof, as may be necessary to bring before the
16 Appellate Court, or Supreme Court, as the case may be, the proceedings of such
17 inferior court as they actually occurred, or may enable the Appellate Court, or
18 Supreme Court, as the case may be, to reach a just determination of the appeal
19 or writ of error.

20 *Fourth*—EXECUTION OF JUDGMENTS, ETC.] To issue such process and to make
21 and enforce such orders as may be necessary to carry into complete execution
22 all of its orders, judgments and decrees.

23 *Fifth—OTHER POWERS.]* All such other powers as may appear to be neces-
 24 sary to secure the decision of every appeal or writ of error according to the very
 25 right and justice of the case and as may not be inconsistent with the provisions
 26 of this Act.

27 The exercise of the powers specified in this section shall be regulated by
 28 rules to be adopted by the Supreme Court.

Sec. 58. OPINIONS.] Upon the final determination of any action or pro-
 2 ceeding in the Supreme Court, or the Appellate Court, as the case may be, the
 3 court shall file an opinion in writing stating the grounds of such final de-
 4 termination: *Provided, however,* that no opinion of the Appellate Court shall
 5 be of binding authority in any other action or proceeding than that in which it
 6 may be filed.

Sec. 59. APPEAL OR WRIT OF ERROR TO WRONG COURT—PROCEDURE.] No appeal
 2 from any order, judgment or decree, or any writ of error, shall be dismissed be-
 3 cause such appeal appears to have been taken to, or such writ of error prose-
 4 cuted from, the wrong court, but in any such case it shall be the duty of the
 5 court to which the appeal has been taken or from which the writ of error has
 6 been sued out to enter an order transferring the appeal or writ of error to the
 7 proper court. When such order is entered the clerk of such court shall forth-
 8 with transmit a certified copy thereof, together with the authenticated record
 9 of the court below to the clerk of the court to which the appeal or writ of error
 10 is ordered transferred, and such court shall thereupon proceed to hear and de-
 11 termine such appeal or writ of error as if such appeal had been prosecuted to, or
 12 such writ of error prosecuted from said court, in the first instance, and all
 13 bonds executed, deposits made or orders entered in respect to any such appeal
 14 or writ of error prior to such transfer shall be as valid, binding and effectual
 15 as if such appeal had been taken to or such writ of error prosecuted from the
 16 right court.

Sec. 60. PROCEDURE WHEN APPELLATE COURT IMPROPERLY DISMISSES APPEAL OR
 2 WRIT OF ERROR OR ORDERS TRANSFER TO SUPREME COURT.] Whenever any appeal

3 prosecuted to or writ of error prosecuted from any Appellate Court shall be trans-
4 ferred to the Supreme Court in conformity with the provisions of the preceding
5 section, or an appeal shall be prosecuted to, or writ of error from, the Supreme
6 Court to review an order of an Appellate Court dismissing an appeal or writ
7 of error, and it shall appear to the Supreme Court, upon consideration of such
8 appeal or writ of error, that such order transferring the same to the Supreme
9 Court, or such order dismissing the appeal or writ of error was erroneous,
10 the Supreme Court shall not on that account order such appeal or writ of error
11 to be re-transferred, or the action remanded, to the Appellate Court, but shall,
12 notwithstanding the error of the Appellate Court in so transferring the same,
13 or in so dismissing the appeal or writ of error, proceed to determine such ap-
14 peal or writ of error upon its merits in the same manner and with the same
15 effect as if such appeal had been rightfully taken to, or such writ of error right-
16 fully prosecuted from, the Supreme Court in the first instance.

Sec. 61. PROCEDURE WHEN APPELLATE COURT IMPROPERLY ASSUMES JURISDIC-
2 TION.] Whenever any appeal is improperly taken to, or a writ of error is im-
3 properly prosecuted from, an Appellate Court, and such Appellate Court er-
4 roneously assumes jurisdiction and determines the same upon the merits, then,
5 in case of an appeal to or writ of error from the Supreme Court to review
6 such determination of the Appellate Court, the Supreme Court shall decide the
7 action upon its merits as if such appeal had been taken to or such writ of error
8 prosecuted from the Supreme Court in the first instance, and all bonds executed,
9 deposits made or orders entered in respect to any such appeal or writ of error
10 prior to the filing of the authenticated record shall be as valid, binding and ef-
11 fectual as if such appeal had been taken to or such writ of error prosecuted from
12 the Supreme Court in the first instance.

Sec. 62. PRACTICE AS TO MATTERS NOT PROVIDED FOR—RULES BY SUPREME
2 COURT.] The practice in cases of appeals to and writs of error from the Su-
3 preme Court and the Appellate Courts, so far as the same is not provided for
4 by this Act, shall be regulated by rules to be prescribed by the Supreme Court.

Sec. 63. DISABILITY OF JUDGE OF CITY COURT.] In case of the death, removal, resignation or disability of a judge of any city court heretofore or hereafter established in this State, the clerk of said court may select and call in any judge of any circuit, superior, county or probate court of this State, and such judge so selected and called in shall have the authority, rights and duties of a duly elected judge of said city court; and such judge so holding court shall be entitled to receive the same compensation as is provided by law for the regular incumbent for the time he serves.

Sec. 64. SUBMISSION OF ACTION OR CONTROVERSY TO ONE OR MORE JUDGES.] Any two or more persons or corporations may appear in person or by attorney in any court of record and, by agreement in writing, submit to any judge thereof, or to any three judges thereof who will consent to hear the same, orally and without formal pleadings, any matters in controversy between them, whether an action for the determination thereof be or be not pending. Such agreement shall provide as follows:

First. That such matters in controversy may be heard forthwith and a judgment or decree of the court entered therein within such time as may be specified in said agreement.

Second. That the judgment or decree shall contain a statement as to what matters in controversy were so submitted and that such statement thereof shall be conclusive.

Third. That no further record than such agreement or decree shall be made as to the matters in controversy so submitted, or as to the proceedings had on the hearing thereof.

Fourth. That such judgment or decree may be enforced in like manner as other judgments and decrees of such court.

Fifth. That the parties to such agreement waive all right to prosecute an appeal or writ of error to reverse such judgment or decree, and release all errors that may intervene in the hearing of the matters so submitted or in the entering up of such judgment or decree.

23 Such agreement shall be signed by the parties in person, or by a duly au-
24 thorized attorney in fact, and when so executed shall be of binding force upon
25 the parties thereto in all the courts of this State. It shall be the duty of such
26 judge or judges to proceed and in a summary manner determine the matters so
27 submitted, and he, or, if the submission is to three judges, any two of them, shall
28 enter a judgment or decree therein within the time fixed in said agreement, which
29 said judgment or decree shall be final and conclusive and may be enforced in
30 like manner as other judgments or decrees of such court, but no appeal shall be
31 allowed therefrom nor shall any writ of error lie to review the same.

Sec. 65. TRIAL OR HEARING BEFORE THREE JUDGES.] In any action or pro-
2 ceeding, at law or in equity, any judge may, upon the consent of all the parties
3 who have appeared in such action or proceeding, call to sit with him any two
4 judges of any court qualified to sit alone in such action or proceeding who will
5 consent thereto, and the action or proceeding shall proceed before said three
6 judges without a jury in like manner as if said trial were before a single judge.
7 The rulings of a majority of said judges upon any question arising during the
8 progress of such action or proceeding shall control, and the findings, judgment
9 or decree of a majority shall constitute the findings, judgment or decree of the
10 court.

Sec. 66. PROVISIONS TO BE APPLICABLE TO PENDING ACTIONS.] The provisions
2 of this Act shall govern all subsequent proceedings in actions pending at the time
3 it shall become operative as hereinafter provided, as well as actions thereafter
4 brought, save that where, in any then pending action, an order has been made
5 or Act done which cannot be changed without doing substantial injustice, the
6 court may give effect to such order or Act to the extent necessary to avoid any
7 such injustice.

Sec. 67. SUPREME COURT TO ADOPT RULES.] The Supreme Court shall have
2 power, and it shall be its duty, to adopt and put into effect rules regulating the
3 practice and procedure of courts of record of original jurisdiction in all actions

4 at law, as well as in all special statutory proceedings, other than rules applicable
 5 to changes of venue, which may not conflict in any matter of substance with the
 6 provisions of this Act. Such rules shall be adopted and promulgated in such
 7 manner, and shall take effect at such time, as the court may deem expedient. Any
 8 rule adopted by the Supreme Court may be rescinded, altered or amended from
 9 time to time, in such manner as the court may deem proper.

Sec. 68. SUPREME COURT TO PRESCRIBE FORMS.] It shall be the duty of the
 2 Supreme Court, prior to the first day of August, 1916, to prescribe and cause to
 3 be printed and published, suitable forms of pleadings, process, notices, affidavits
 4 and all other papers which may be used in the prosecution or defense of ac-
 5 tions regulated by this Act, or by the rules of the Supreme Court adopted in
 6 pursuance of this Act, which forms shall be as brief and concise as may be
 7 practicable, omitting all unnecessary verbiage, and the forms so prescribed
 8 shall be thereafter used in all the courts of this State in all cases in which
 9 they may be applicable, and the Supreme Court shall have power to change or
 10 modify, from time to time, the forms so prescribed.

Sec. 69. POWER OF OTHER COURTS TO ADOPT RULES — JUDICIAL NOTICE.] All
 2 courts of record of this State shall have power to adopt all such rules regulat-
 3 ing the practice and procedure in such courts in all actions at law brought
 4 therein, as well as in all special statutory proceedings, other than rules ap-
 5 plicable to changes of venue, which may not be inconsistent in any matter of
 6 substance with the provisions of this Act, or with the rules which may be adopt-
 7 ed by the Supreme Court in pursuance of this Act. Such rules may be abro-
 8 gated by the Supreme Court on its own motion or otherwise. All courts of
 9 this State shall take judicial notice of all rules adopted by the Supreme Court or
 10 other courts of record in pursuance of this Act.

Sec. 70. WHEN ACT TO BECOME OPERATIVE.] The provisions of this Act,
 2 other than those of the three preceding sections, shall not become operative un-
 3 til the first day of August, 1916, and until said date, the provisions of the three

4 preceding sections shall be in force to such extent only as may be necessary to
5 enable the Supreme Court and other courts of record to prepare, adopt and
6 publish the rules and forms which they are thereby authorized to prepare,
7 adopt and publish, and which will come into force and use upon this Act becom-
8 ing operative on the first day of August, 1916.

Sec. 71. REPEAL.] The Act entitled, "An Act in relation to practice and
2 procedure in courts of record," approved June 3, 1907, in force July 1, 1907, and
3 all other Acts and parts of Acts inconsistent herewith are hereby repealed, but
4 such repeal shall not take effect until the first day of August, 1916.



- 1 Introduced by Mr. Davis, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to re-appropriate the unexpended balance of appropriations made by an Act entitled, "An Act in relation to procuring of sites and for the erection of armory building for the use of the Illinois National Guard and Illinois Naval Reserve and making an appropriation therefor," approved June 9, 1911, in force July 1, 1911, and a further Act entitled, "An Act in relation to procuring of sites and for the erection of armory buildings for the use of the Illinois National Guard and making appropriation therefor, and for the purchase of sites and armory buildings at Kewanee and Morrison, Illinois," approved June 28, 1913, and in force July 1, 1913, and a further Act entitled, "An Act making an appropriation of additional sums for the completion of armories now under construction," approved June 25, 1913, in force July 1, 1913, and a further Act entitled, "An Act making an appropriation of the proceeds of the sale of the building and lands now owned by the State of Illinois and used for an armory by the 2nd Regiment, Illinois National Guard," approved June 21, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and is hereby appropriated
3 the unexpended balance of appropriations made for the several purposes speci-

4 fied in an Act entitled, "An Act in relation to procuring of sites and for the
5 erection of armory building for the use of the Illinois National Guard and Illi-
6 nois Naval Reserve, and making an appropriation therefor," approved June 9,
7 1911, in force July 1, 1911, and a further Act entitled, "An Act in relation to
8 procuring of sites for the erection of armory buildings for the use of the Illi-
9 nois National Guard and making appropriation therefor, and for the purchase
10 of sites and armory buildings at Kewanee and Morrison, Illinois," approved
11 June 28, 1913, and in force July 1, 1913, and a further Act entitled, "An Act
12 making an appropriation of additional sums for the completion of armories
13 now under construction," approved June 25, 1913, in force July 1, 1913, and a
14 further Act entitled, "An Act making an appropriation of the proceeds of the
15 sale of the building and lands now owned by the State of Illinois and used for
16 an armory by the 2nd Regiment, Illinois National Guard, approved June 21,
17 1913, in force July 1, 1913, the appropriation hereby made being for the several
18 purposes expressed in said Acts to be paid out of the State Treasury for said
19 purposes and in the manner in said Acts provided. The appropriation hereby
20 made shall be in addition to any appropriation heretofore or hereafter made
21 for said purposes respectively.



- 1 Introduced by Mr. Dahlberg, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend “An Act concerning local improvements,” approved June 14th 1897, and in force July 1st, 1897, by inserting a new section to be known as section (10a) and repealing all laws and parts of laws conflicting with the provisions of this Act.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act concerning local improvements, approved June 14th, 1897, and in force July 1st, 1897, be and the same is hereby amended by adding a new section to be known as section 10a and to read as follows:

Sec. 10a. Nothing in this Act shall be so construed as to prevent the specification by ordinance of any patented invention, article, material, arrangement, appurtenance, or appliance, provided that when such patented invention, article, material, arrangement, appurtenance, or appliance has been approved by the board of local improvements, the manufacturer of such patented invention, ar-

11 ticle, material, arrangement, appurtenance or appliance shall file with the board
12 of trustees a bond guaranteeing that the price or prices of such patented inven-
13 tion, article, material, arrangement, appurtenance, or appliances for the work
14 specified by the said ordinance shall not be more than the price to be stated in
15 the said bond, and the said bond further to guarantee that such patented inven-
16 tion, article, material, arrangement, appurtenances, or appliances will be fur-
17 nished to any and all applicants desiring to bid for the work so specified by or-
18 dinance at the price to be stated in the said bond.

Sec. 2. All Acts and parts of Acts in conflict herewith are hereby repealed.



- 1 Introduced by Mr. Dahlberg, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend section 1 of an Act entitled, "An Act to enlarge the power of cities and villages in relation to harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters and all harbor structures facilities, connections, improvements and utilities constructed or operated in connection therewith and for the purpose of carrying out such power to authorize the acquisition and condemnation of property and to authorize the use, occupation, recovery and acquisition of artificially made or reclaimed lands of the State and the reclamation and acquisition of the submerged lands of the State, and to repeal an Act entitled, 'An Act to enlarge the power of cities in relation to harbors, canals, wharves, docks, piers, slips and other harbor structures, facilities, improvements and utilities constructed or operated in connection therewith, to authorize the acquisition and condemnation of property and the use, occupation, reclamation and acquisition of the submerged lands of the State in carrying out such power, and to repeal all Acts or parts of Acts in conflict therewith,' approved June 10, 1911, and to repeal all other Acts or parts of Acts in conflict therewith," approved June 23, 1913, in force July 1, 1913.

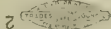
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 1 of an Act entitled, "An Act

3 to enlarge the power of cities and villages in relation to harbors, canals, slips,
 4 wharves, docks, levees, piers, quay walls breakwaters and all harbor structures,
 5 facilities, connections, improvements and utilities constructed or operated in con-
 6 nection therewith and for the purpose of carrying out such power to authorize
 7 the acquisition and condemnation of property and to authorize the use, occupa-
 8 tion, recovery and acquisition of artificially made or reclaimed lands of the
 9 State and the reclamation and acquisition of the submerged lands of the State,
 10 and to repeal an Act entitled, 'An Act to enlarge the power of cities in relation
 11 to harbors, canals, wharves, docks, piers, slips and other harbor structures,
 12 facilities, improvements and utilities constructed or operated in connection
 13 therewith to authorize the acquisition and condemnation of property and the
 14 use, occupation, reclamation and acquisition of the submerged lands of the State
 15 in carrying out such power, and to repeal all Acts or parts of Acts in conflict
 16 therewith,' approved June 10, 1911, and to repeal all other Acts or parts of Acts
 17 in conflict therewith," approved June 23, 1913, in force July 1, 1913, be amended
 18 to read as follows:

Sec. 2. That every city and village in this State shall have the right, power
 2 and authority, and such right, power and authority are hereby granted to acquire,
 3 own, construct, maintain and operate anywhere within the jurisdiction or limits
 4 of the city or village, or in, over and upon any public waters bordering there-
 5 on, harbors, canals, slips, wharves, docks, levees, piers, quay walls, breakwaters
 6 and all appropriate harbor structures, facilities, connections and improve-
 7 ments, and in connection therewith to acquire, own, construct, maintain and
 8 operate such elevators, vaults and warehouses (including cold storage ware-
 9 houses), as may be necessary adjuncts or incidental to transportation and rail-
 10 road terminals, and to acquire, own, construct, maintain and operate all other
 11 necessary or appropriate terminal facilities.

12 *Every such city or village which shall, by any of the means by this Act auth-*
 13 *orized, acquire or reclaim lands, shall have the right, power and authority, and*
 14 *such right, power and authority are hereby granted, to use such lands for any*

15 *municipal purpose, or to lease such lands to private persons or corporations for*
16 *manufacturing or other industrial uses and purposes, but no lease by this sec-*
17 *tion authorized shall be for a longer period than ninety-nine (99) years. Such*
18 *city or village may by ordinance provide the time or period at which re-valua-*
19 *tions of such lands may be had for the purpose of determining the rental value*
20 *thereof, and before any such lease shall go into effect it shall be subject to all*
21 *the provisions of section eleven (11) of the said Act approved June 23, 1913.*
22 *But nothing in this section contained shall be held or construed to impair, change,*
23 *modify or amend the provisions of section three (3) of said Act.*



- 1 Introduced by Mr. Dalton, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend sections 57, 58 and 84 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by subsequent Acts, and by repealing a certain Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That sections 57, 58 and 84 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897 as amended by subsequent Acts, be and the same is hereby amended to read as follows:*

Sec. 57. *If any assessment shall be annulled by the city council or board of trustees, or set aside by any court, a new assessment may be made and returned, and like notice given and proceedings had as herein required in relation to the first; and all parties in interest shall have like rights, and the city council or board of trustees, and the court, shall perform like duties and have like power in relation to any subsequent assessment as are hereby given in relation to the first assessment.*

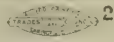
Sec. 58. *No special assessment shall be held void because levied for work already done under a prior ordinance, if it shall appear that such work was done in good faith, by the contract duly let and executed, pursuant to an ordinance providing that such improvement should be paid for by special assessment or special tax. This provision shall only apply when the prior ordinance shall be held insufficient for the purpose of such assessment, or otherwise defective, so that the collection of the assessment therein provided for becomes impossible. A new or special ordinance shall in such case be passed, providing for such assessment, and such ordinance need not be presented by the board of local improvements.*

Sec. 84. *Within thirty (30) days after the final completion and acceptance of the work, as hereinbefore provided, the board of local improvements shall cause the cost thereof to be certified in writing to the court in which said assessment was confirmed, together with an amount estimated by the board to be required to pay the accruing interests on bonds or vouchers issued to anticipate collection, and thereupon, if the total amount assessed for said improvement upon the public and private property exceeds the cost of the same, all of said excess, excepting the amount required to pay such interest as herein provided for, shall be abated and the judgment reduced proportionately to the public and private property owners, and shall be credited pro rata upon the respective assessments for said improvements under direction of the court, and, in case the assessment is collectable in installments, such reduction shall be made so that all installments shall be equal in amount, except that all fractional amounts shall be added to the first installment so as to leave the remaining installments in the aggregate equal in amount and each a multiple of one hundred dollars (\$100). If, prior to the entry of the order abating and reducing said assessment, the same shall have been certified for collection pursuant to the provisions of section 61 of this Act as herein amended, and any of the installments of such assessment so certified for collection have become due and payable, the reduction and abatement above referred to shall be made pro rata upon the*

21 other installments; the intent and meaning hereof being that no property
22 owner shall be required to pay to the collector or a greater amount than his pro-
23 portionate share of the cost of said work and of the interest that may accrue
24 thereon. In every assessment proceeding in which the assessment shall be di-
25 vided into installments, it shall also be the duty of the board of local improve-
26 ments to state in said certificate whether or not the said improvement conforms
27 substantially to the requirements of the original ordinance for the construction
28 of the improvement, and to make an application to said court to consider and
29 determine whether or not the facts stated in said certificate are true; and there-
30 upon the court shall, upon such application, fix a time and place for a hearing
31 upon the said petition, and shall enter the same of record, such time to be not
32 less than fifteen (15) days after the filing of such certificate and application.
33 Public notice shall be given of the time and place fixed for such hearing by
34 posting and publishing in a newspaper, in the same manner and for the same
35 period as provided in this Act for publishing notice of application for the con-
36 firmation of the original assessment, the posting and publication of such notice
37 to be not less than fifteen (15) days before the day fixed by such order for such
38 hearing. At the time and place fixed by such notice, or at any time thereafter,
39 the court shall proceed to hear said application and any objections which may
40 be filed thereto within the time fixed in such order, and upon such hearing the
41 said certificate of the board of local improvements shall be prima facie evidence
42 that the matters and things therein stated are true, but if any part thereof are
43 controverted by objections duly filed upon such petition, the court shall hear
44 and determine the same in a summary manner, and shall enter an order ac-
45 cording to the fact. Such order of the court shall be conclusive upon all the
46 parties and no appeal therefrom or writ of error thereto shall be allowed to
47 review or reverse the same. If, upon such hearing, the court shall find
48 against the allegations of the said certificate, it shall enter an order accordingly,
49 but it shall be the duty of the said board of local improvements to procure the
50 completion of the said improvement in substantial accordance with the said or-
51 dinance, and said board may, from time to time, file additional or supplemental

52 applications or petitions in respect thereto, until the court shall be eventually
53 satisfied that the allegations of such certificates or petitions are true, and that
54 said improvement is constructed in substantial accordance with the said ordi-
55 nance. If, before the entry of such order upon such certificate, there shall have
56 been issued to the contractor in the progress of any such work, any bonds to
57 apply upon the contract price thereof, said contractor or the then owner or
58 holder of such bonds, shall be entitled to receive in lieu thereof new bonds of
59 equivalent amount, dated and issued after the entry of such order.

Sec. 2. An Act entitled "An Act to amend sections 57, 58 and 84 of an Act
2 entitled, "An Act concerninig local improvements," approved June 14, 1897, in
3 force July 1, 1897, and as amended by subsequent Acts which said Act was ap-
4 proved June 27, 1913, in force July 1, 1913, be and the same is hereby in all re-
5 spects repealed."



- 1 Introduced by Mr. F. J. Ryan, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend section 1 of article V of an Act entitled, “An Act to provide for the incorporation of cities and villages,” approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907, and as further amended by an Act approved June 5, 1911, and in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 1 of Article V of an Act entitled, “An Act to provide for the incorporation of cities and villages,” approved April 10, 1872, and in force July 1, 1872; as amended by an Act approved and in force December 31, 1907, and as further amended by an Act approved June 5, 1911, and in force July 1, 1911, be amended so as to read as follows, viz:

SECTION 1. The city council in cities, and the president and the board of trustees in villages, shall have the following powers:

First—To control the finances and property of the corporation.

Second—To appropriate money for corporate purposes only, and provide for payment of debts and expenses of the corporation.

13 *Third*—To levy and collect taxes for general and special purposes on real
14 and personal property.

15 *Fourth*—To fix the amount, terms and manner of issuing and revoking
16 licenses.

17 *Fifth*—To borrow money on the credit of the corporation for corporate pur-
18 poses, and issue bonds therefor, in such amounts and form, and on such condi-
19 tions as it shall prescribe, but shall not become indebted in any manner or for
20 any purpose to an amount, including existing indebtedness in the aggregate to ex-
21 ceed five (5) per centum on the value of the taxable property therein, to be
22 ascertained by the last assessment for State and county taxes previous to the
23 incurring of such indebtedness; and before or at the time of incurring any in-
24 debtedness shall provide for the collection of a direct annual tax sufficient to pay
25 the interest on such debt as it falls due, and also to pay and discharge the prin-
26 cipal thereof within twenty years after contracting the same.

27 *Sixth*—To issue bonds in place of or to supply means to meet maturing
28 bonds, or for the consolidation or funding of the same.

29 *Seventh*—To lay out, to establish, open, alter, widen, extend, grade, pave
30 or otherwise improve streets, alleys, avenues, sidewalks, wharves, parks and pub-
31 lic grounds, and vacate the same.

32 *Eighth*—To plant trees upon the same.

33 *Ninth*—To regulate the use of the same.

34 *Tenth*—To prevent and remove encroachments or obstructions upon the
35 same.

36 *Eleventh*—To provide for the lighting of the same.

37 *Twelfth*—To provide for the cleansing of the same.

38 *Thirteenth*—To regulate the openings therein for the laying of gas or water
39 mains and pipes, and the building and repairing of sewers, tunnels and drains,
40 and erecting gas lights: *Provided, however,* that any company heretofore or-
41 ganized under the general laws of this State, or any association of persons or-
42 ganized or which may be hereafter organized for the purpose of manufacturing

43 illuminating gas to supply cities or villages, or the inhabitants thereof, with the
44 same, shall have the right, by consent of the common council (subject to exist-
45 ing rights), to erect gas factories, and lay down pipes in the streets or alleys
46 of any city or village in this State, subject to such regulations as any such city or
47 village may by ordinance impose.

48 *Fourteenth*—To regulate the use of sidewalks and all structures thereunder;
49 and to require the owner or occupant of any premises to keep the sidewalks in
50 front of, or along the same, free from snow and other obstructions.

51 *Fifteenth*—To regulate and prevent the throwing or depositing of ashes,
52 offal, dirt, garbage, or any offensive matter in, and to prevent injury to any
53 street, avenue, alley, or public ground.

54 *Sixteenth*—To provide for and regulate crosswalks, curbs and gutters.

55 *Seventeenth*—To regulate and prevent the use of streets, sidewalks and pub-
56 lic grounds for signs, sign posts, awnings, awning posts, telegraph poles, horse
57 troughs, racks, posting hand bills and advertisements.

58 *Eighteenth*—To regulate and prohibit the exhibition or carrying of banners,
59 placards, advertisements or hand bills in the streets or public grounds, or upon
60 the sidewalks.

61 *Nineteenth*—To regulate and prevent the flying of flags, banners or signs
62 across the streets or from houses.

63 *Twentieth*—To regulate traffic and sales upon the streets, sidewalks and
64 public places.

65 *Twenty-first*—To regulate the speed of horses and other animals, vehicles,
66 cars and locomotives within the limits of the corporation.

67 *Twenty-second*—To regulate the numbering of houses and lots.

68 *Twenty-third*—To name and change the name of any street, avenue, alley or
69 other public place.

70 *Twenty-fourth*—To permit, regulate or prohibit the locating, constructing
71 or laying a track of any horse railroad in any street, alley or public place; but
72 such permission shall not be for a longer time than for twenty years.

73 *Twenty-fifth*—To provide for and change the location, grade and crossing of
74 any railroad.

75 *Twenty-sixth*—To require railroad companies to fence their respective rail-
76 roads or any portion of the same, and to construct cattle guards, crossings of
77 streets and public roads, and keep the same in repair, within the limits of the
78 corporation. In case any railroad company shall fail to comply with any such
79 ordinance, it shall be liable for all damages the owner of any cattle or horses or
80 other domestic animal may sustain by reason of injuries thereto while on the
81 track of such railroad, in like manner and extent as under the general laws of
82 this State, relative to the fencing of railroads; and actions to recover such dam-
83 ages may be instituted before any justice of the peace or other court of compe-
84 tent jurisdiction.

85 *Twenty-seventh*—To require railroad companies to keep flagmen at railroad
86 crossings of streets, and provide protection against injury to persons and prop-
87 erty in the use of such railroads. To compel such railroads to raise or lower
88 their railroad tracks to conform to any grade which may, at any time, be estab-
89 lished by said city, and where such tracks run lengthwise of any such street,
90 alley or highway, to keep their railroad tracks on a level with the street surface,
91 and so that such tracks may be crossed at any place on such street, alley or
92 highway. To compel and require railroad companies to make and keep open
93 and to keep in repair ditches, drains, sewers and culverts along and under their
94 railroad tracks so that filthy or stagnant pools of water cannot stand on their
95 grounds or right-of-way, and so that the natural drainage of adjacent property
96 shall not be impeded.

97 *Twenty-eighth*—To construct and keep in repair, bridges, viaducts and tun-
98 nels, and to regulate the use thereof.

99 *Twenty-ninth*—To construct and keep in repair culverts, drains, sewers and
100 cesspools and to regulate the use thereof.

101 *Thirtieth*—To deepen, widen, dock, cover, wall, alter or change channels of
102 water courses.

103 *Thirty-first*—To construct and keep in repair canals and slips for the ac-
104 commodation of commerce.

105 *Thirty-second*—To erect and keep in repair public landing places, wharves,
106 docks and levees.

107 *Thirty-third*—To regulate and control the use of public and private landing
108 places, wharves, docks and levees.

109 *Thirty-fourth*—To control and regulate the anchorage, moorage and landing
110 of all water craft and their cargoes within the jurisdiction of the corporation.

111 *Thirty-fifth*—To license, regulate and prohibit wharf-boats, tugs and other
112 boats used about the harbor, or within such jurisdiction.

113 *Thirty-sixth*—To fix the rate of wharfage and dockage.

114 *Thirty-seventh*—To collect wharfage and dockage from all boats, rafts
115 or other craft landing at or using any public landing place, wharf, dock or levee
116 within the limits of the corporation.

117 *Thirty-eighth*—To make regulations in regard to use of harbors, towing of
118 vessels, opening and passing of bridges.

119 *Thirty-ninth*—To appoint harbor masters and define their duties.

120 *Fortieth*—To provide for the cleansing and purification of waters,
121 water-courses and canals, and the draining or filling of ponds on pri-
122 vate property, whenever necessary to prevent or abate nuisances.

123 *Forty-first*—To license, tax, regulate, suppress and prohibit hawkers, ped-
124 dlers, pawnbrokers, keepers of ordinaries, theatricals and other exhibitions,
125 shows and amusements, and to revoke such license at pleasure.

126 *Forty-second*—To license, tax and regulate hackmen, draymen, omnibus
127 drivers, carters, cabmen, porters, expressmen, and all others pursuing like oc-
128 cupations, and to prescribe their compensation

129 *Forty-third*—To license, regulate, tax and restrain runners for stages, cars,
130 public houses or other things or persons.

131 *Forty-fourth*—To license, regulate, tax or prohibit and suppress billiard,
132 bagatelle, pigeon-hole or any other tables or implements kept or used for a sim-
133 ilar purpose in any place of public resort, pin alleys and ball alleys.

134 *Forty-fifth*—To suppress bawdy and disorderly houses, houses of illfame or
 135 assignation, within the limits of the city and within three miles of the outer
 136 boundaries of the city; and also to suppress gaming and gambling houses, lot-
 137 teries, and all fraudulent devices and practices, for the purpose of gaining or
 138 obtaining money or property; and to prohibit the sale or exhibition of obscene or
 139 immoral publications, prints, pictures or illustrations.

140 *Forty-sixth*—To license, regulate and prohibit the selling or giving away of
 141 any intoxicating, malt, vinous, mixed or fermented liquor, the license not to ex-
 142 tend beyond the municipal year in which it shall be granted, and to determine
 143 the amount to be paid for such license: *Provided*, that the city council in cities,
 144 or presidents and boards of trustees in villages, may grant permits to druggists
 145 for the sale of liquors for medicinal, mechanical, sacramental and chemical pur-
 146 poses only, subject to forfeiture, and under such restrictions and regulations as
 147 may be provided by ordinance: *Provided, further*, that in granting licenses, such
 148 corporate authorities shall comply with whatever general law of the State may
 149 be in force relative to the granting of licenses.

150 *Forty-seventh*—The foregoing shall not be construed to affect the provis-
 151 ions of the charter of any literary institution heretofore granted.

152 *Forty-eighth*—And the city council in cities, and president and board of trus-
 153 tees in villages, shall also have the power to forbid and punish the selling or
 154 giving away of any intoxicating, malt, vinous, mixed or fermented liquor to any
 155 minor, apprentice or servant or insane, idiotic or distracted person, habitual
 156 drunkard or person intoxicated.

157 *Forty-ninth*—To establish markets and market-houses, and provide for the
 158 regulation and use thereof.

159 *Fiftieth*—To regulate the sale of meats, poultry, fish, butter, cheese, lard,
 160 vegetables and all other provisions, to provide for place and manner of selling
 161 the same, *and to direct the location thereof*.

162 *Fifty-first*—To prevent and punish forestalling and regrating.

163 *Fifty-second*—To regulate the sale of bread in the city or village; prescribe
 164 the weight and quality of bread in the loaf.

165 *Fifty-third*—To provide for and regulate the inspection of meats, poultry,
166 fish, butter, cheese, lard, vegetables, cotton, tobacco, flour, meal and other pro-
167 visions.

168 *Fifty-fourth*—To regulate the inspection weighing and measuring of brick,
169 lumber, firewood, coal, hay, and any article of merchandise.

170 *Fifty-fifth*—To provide for the inspection and sealing of weights and measures.

171 *Fifty-sixth*—To enforce the keeping and use of proper weights and meas-
172 ures by vendors.

173 *Fifty-seventh*—To regulate the construction, repairs and use of vaults, cis-
174 terns, areas, hydrants, pumps, sewers and gutters.

175 *Fifty-eighth*—To regulate *and direct the location of* places of amusement.

176 *Fifty-ninth*—To prevent intoxication, fighting, quarreling, dog fights, cock
177 fights, and all disorderly conduct.

178 *Sixtieth*—To regulate partition fences and party walls.

179 *Sixty-first*—To prescribe the thickness, strength, and manner of construct-
180 ing stone, brick and other buildings and construction of fire escapes therein.

181 *Sixty-second*—The city council and the president and trustees in villages,
182 for the purpose of guarding against the calamities of fire, shall have power to
183 prescribe the limits within which wooden buildings shall not be erected or placed,
184 or repaired, without permission, and to direct that all and any buildings within
185 the fire limits, when the same shall have been damaged by fire, decay or other-
186 wise, to the extent of fifty per cent of the value, shall be torn down or removed
187 and to prescribe the manner of ascertaining such damage.

188 *Sixty-third*—To prevent the dangerous construction and condition of chim-
189 neys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, and apparatus used
190 in and about any building and manufactory, and to cause the same to be re-
191 moved or placed in a safe condition, when considered dangerous; to regulate and
192 prevent the carrying on of manufactories dangerous in causing and promoting
193 fires; to prevent the deposit of ashes in unsafe places, and to cause all such build-
194 ings and enclosures as may be in a dangerous state to be put in a safe condition.

195 *Sixty-fourth*—To erect engine houses, and provide fire engines, hose carts,
 196 hooks and ladders, and other implements for prevention and extinguishment of
 197 fires, and provide for the use and management of the same by voluntary fire
 198 companies or otherwise.

199 *Sixty-fifth*—To regulate and prevent storage of gunpowder, tar, pitch, resin,
 200 coal oil, benzine, turpentine, hemp, cotton, nitro-glycerine, petroleum or any of
 201 the products thereof, and other combustible or explosive material, and the use
 202 of lights in stables, shops and other places, and the building of bon-fires; also to
 203 regulate, restrain and prohibit the use of fireworks, firecrackers, torpedoes,
 204 Roman candles, sky-rockets, and other pyrotechnic displays.

205 *Sixty-sixth*—To regulate the police of the city or village, and pass and en-
 206 force all necessary police ordinances.

207 *Sixty-seventh*—To provide for the inspection of steam boilers.

208 *Sixty-eighth*—To prescribe the duties and powers of a superintendent of
 209 police, policemen and watchmen.

210 *Sixty-ninth*—To establish and erect calaboooses, bridewells, houses of correc-
 211 tion and workhouses for the reformation and confinement of vagrants, idle and
 212 disorderly persons, and persons convicted of violating any city or village ordi-
 213 nance, and make rules and regulations for the government of the same, and ap-
 214 point necessary keepers and assistants.

215 *Seventieth*—To use the county jail for the confinement or punishment of
 216 offenders, subject to such conditions as are imposed by law, and with the con-
 217 sent of the county board.

218 *Seventy-first*—To provide by ordinance in regard to the relation between
 219 all the officers and employees of the corporation in respect to each other, the
 220 corporation and the people.

221 *Seventy-second*—To prevent and suppress riots, routs, affrays, noises, dis-
 222 turbances, disorderly assemblies in any public or private place.

223 *Seventy-third*—To prohibit and punish cruelty to animals.

224 *Seventy-fourth*—To restrain and punish vagrants, mendicants and prosti-
225 tutes.

226 *Seventy-fifth*—To declare what shall be a nuisance, and to abate the same;
227 and to impose fines upon parties who may create, continue or suffer nuisances
228 to exist.

229 *Seventy-sixth*—To appoint a board of health, and prescribe its powers and
230 duties.

231 *Seventy-seventh*—To erect and establish hospitals and medical dispensaries
232 and to regulate hospitals, medical dispensaries, sanatoria and undertaking es-
233 tablishments, and to direct the location thereof.

234 *Seventy-eighth*—To do all acts, make all regulations which may be necessary
235 or expedient for the promotion of health or the suppression of disease.

236 *Seventy-ninth*—To establish and regulate cemeteries within or without the
237 corporation, and acquire lands therefor, by purchase or otherwise, and cause
238 cemeteries to be removed, and prohibit their establishment within one mile of
239 the corporation.

240 *Eightieth*—To regulate, restrain and prohibit the running at large of horses,
241 cattle, swine, sheep, goats, geese and dogs and to impose a tax on dogs.

242 *Eighty-first*—To direct the location and regulate the management and con-
243 struction of packing houses, renderies, tallow chandleries, bone factories, soap
244 factories, and tanneries, within the limits of the city or village, and within the
245 distance of one mile without the city or village limits.

246 *Eighty-second*—To direct the location and regulate the use and construction
247 of breweries, distilleries, livery, boarding or sale stables, blacksmith shops, foun-
248 dries, machine shops, garages, *hangars*, laundries, bathing beaches, *planing mills*,
249 *flour mills*, *box factories*, *lead factories*, *steel factories*, *iron factories*, *ice plants*,
250 *either for the manufacturing or storing of ice*, *factories or other manufacturing*
251 *establishments using machinery, or emitting offensive or noxious fumes, odors,*
252 *or noises and storage warehouses* within the limits of the city or village.

253 *Eighty-third*—To prohibit any offensive or unwholesome business or estab-
 254 lishment within or within one mile of the limits of the corporation.

255 *Eighty-fourth*—To compel the owner of any grocery, cellar, soap or tallow
 256 chandlery, tannery, stable, pig-sty, privy, sewer or other unwholesome or nause-
 257 ous house or place, to cleanse, abate, or remove the same, and to regulate the lo-
 258 cation thereof.

259 *Eighty-fifth*—The city council or trustees of a village, shall have power to
 260 provide for the taking of the city or village census but no city or village cen-
 261 sus shall be taken by authority of the council or trustees oftener than once in
 262 three years.

263 *Eighty-sixth*—To provide for the erection and care of all public buildings
 264 necessary for the use of the city or village.

265 *Eighty-seventh*—To establish ferries, toll bridges and license and regulate
 266 the same, and from time to time to fix tolls thereon.

267 *Eighty-eighth*—To authorize the construction of mills, mill-races, and feed-
 268 ers on, through or across the streets of the city or village, at such places and
 269 under such restrictions as they shall deem proper.

270 *Eighty-ninth*—The city council shall have power, by condemnation or other-
 271 wise, to extend any street, alley or highway over or across, or to construct any
 272 sewer under or through any railroad track, right of way, or land of any railroad
 273 company (within the corporate limits), but where no compensation is made to
 274 such railroad company the city shall restore such railroad track, right of way or
 275 land to its former state, or in a sufficient manner not to have impaired its use-
 276 fulness.

277 *Ninetieth*—The city council or board of trustees shall have no power to
 278 grant the use of or the right to lay down any railroad tracks in any street of the
 279 city to any steam, dummy, electric, cable, horse or other railroad company,
 280 whether the same shall be incorporated under any general or special law of the
 281 State, now or hereafter in force, except upon the petition of the owners of the
 282 land representing more than one-half of the frontage of the street, or so much

283 thereof as is sought to be used for railroad purposes, and when the street or part
284 thereof sought to be used shall be more than one mile in extent, no petition of
285 land owners shall be valid unless the same shall be signed by the owners of the
286 land representing more than one-half of the frontage of each mile and the frac-
287 tion of a mile, if any in excess of the whole miles measuring from the initial point
288 named in such petition, of such street or of the part thereof sought to be used
289 for railroad purposes.

290 *Ninety-first*—To tax, license and regulate auctioneers, distillers, breweries,
291 lumber yards, livery stables, public scales, money changers and brokers.

292 *Ninety-second*—To prevent and regulate the rolling of hoops, playing of ball,
293 flying of kites, or any other amusement or practice having a tendency to annoy
294 persons passing in the streets or on the sidewalks, or to frighten teams and
295 horses.

296 *Ninety-third*—To regulate, *direct the location of*, and prohibit the keeping
297 of any lumber or coal yard, and the placing or piling or selling any lumber, tim-
298 ber, wood, coal, or other combustible material, *within the limits of the city or*
299 *village*.

300 *Ninety-third "A"*—To regulate, *direct the location of and prohibit the plac-*
301 *ing, keeping, piling or storing of building or other material, junk, or noxious*
302 *matter, upon vacant property, within the limits of the city or village*.

303 *Ninety-fourth*—To provide by ordinance, that all the paper, printing, sta-
304 tionery, blanks, fuel, and all the supplies needed for the use of the city, shall be
305 furnished by contract, let to the lowest bidder.

306 *Ninety-fifth*—To tax, license and regulate second-hand and junk stores and
307 yards, and to forbid their purchasing or receiving from minors without the writ-
308 ten consent of their parents or guardians, any article whatsoever, and to direct
309 the location thereof.

310 *Ninety-sixth*—To direct, license and control all wagons and other vehicles
311 conveying loads within the city, or any particular class of such wagons, and
312 other vehicles, and prescribe the width and tire of the same, the license fee when

313 collected to be kept as a separate fund and used only for paying the cost and
314 expense of street or alley improvement or repair.

315 *Ninety-seventh*—To acquire, in the manner now or hereafter provided by
316 law for the taking of private property for public use, private lands bordering
317 upon the public or navigable waters, useful, desirable or advantageous for bath-
318 ing beaches and recreation piers.

319 *Ninety-eighth*—To pass all ordinances, rules, and make all regulations
320 proper or necessary, to carry into effect the powers granted to cities or villages,
321 with such fines or penalties as the city council or board of trustees shall deem
322 proper: *Provided*, no fine or penalty shall exceed \$200.00, and no imprisonment
323 shall exceed six months for one offense.



- 1 Introduced by Mr. G. H. Wilson, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to create the status of marriage between unmarried parents.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That when a man and woman, not pre-
3 viously joined in wedlock according to statute, become the father and mother of
4 a child, they shall be deemed to be legally married from the time of the birth of
5 said child.

Sec. 2. That the father of a child born out of statutory marriage shall
2 make an affidavit deposing that he is the father of said child, and shall file said
3 affidavit in the office of the clerk of the county court in the county where said
4 child was born, within three months after the date of the birth of said child. If
5 said father shall fail to file said affidavit, he shall be guilty of a misdemeanor,
6 and shall be fined in a sum not less than \$100 nor more than \$500.

Sec. 3. That the mother of any child born out of statutory marriage, or any
2 “prochein ami” of said child, should the father of said child not have filed his

3 affidavit as provided in section two of this Act, may give to the State's attorney
 4 of the county in which said child was born, the name of the man whom he or
 5 she alleges to be the father of said child. The said State's attorney shall, after
 6 the lapse of three months from birth of said child, then summon the alleged father
 7 into court, or if service cannot be had, shall publish according to the provis-
 8 sions of "Chapter 22, sections 12 and 13, Illinois statutes, 'An Act to regulate
 9 the practice in the courts of chancery,' " and shall have the issues made up and
 10 tried in the name of the People of the State of Illinois in the county court, as
 11 to whether the man alleged to be the father of said child is or is not the father of
 12 said child.

Sec. 4. That if upon the trial of the issue of parentage the alleged father
 2 appears and denies that he is the father of said child, he shall have the right
 3 of a trial by jury.

Sec. 5. On the trial of the issue of parentage aforesaid, under this Act,
 2 the alleged father shall be a competent witness, and his credibility left to the
 3 court, or in the case of trial by jury, to the jury.

Sec. 6. If upon the trial of the issues of parentage aforesaid, it shall be
 2 found that the defendant is the father of said child, or if the defendant shall
 3 in open court admit that he is the father of said child, or default in appearing
 4 when the case is tried, the decree shall be entered that said defendant and
 5 mother of said child are husband and wife, and judgment shall be entered for
 6 any fine imposed as provided in section two of this Act, together with court
 7 costs, and execution may issue thereupon, but if upon the trial of said issue it
 8 shall be found that the defendant is not the father of said child, the suit shall be
 9 dismissed.

Sec. 7. All Acts and parts of Acts in conflict with any provisions of this
 2 Act are repealed.



- 1 Introduced by Mr. Provine (by request), April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities
and Transportation.

A BILL

For an Act to amend section 31 of an Act entitled, "An Act to provide for the
regulation of public utilities," approved June 30th, 1913, in force January 1st,
1914.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 31 of an Act entitled, "An
3 Act to provide for the regulation of public utilities," approved June 30th, 1913,
4 in force January 1st, 1914, is hereby amended to read as follows :

5 Sec. 31. FEES FOR ISSUANCE OF STOCK AND BONDS.] The commission shall
6 charge every public utility receiving permission under this Act for the issue of
7 stocks, stock certificates, bonds, notes and other evidences of indebtedness, an
8 amount equal to ten (10) cents for every one hundred dollars of such securities
9 authorized by the commission, and the same shall be paid into the State treasury
10 before any such securities shall be issued: *Provided*, that no charge shall be
11 made by the commission for such permission, as against a public utility organ-

12 ized under the laws of another state, in cases where it is made to appear that
13 such public utility has procured the permission of the state under the law of
14 which such public utility was organized, to issue such securities, and has paid
15 the fee or charge as fixed by the law of such foreign state for such per-
16 mission.



- 1 Introduced by Mr. Provine (by request), April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to provide for the ordinary and contingent expenses of the Illinois National Guard and Illinois Naval Reserve.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the sum of three hundred eighty-nine thousand, nine hundred seventeen dollars (\$389,917.00) per annum, or so much thereof as may be necessary, is hereby appropriated to pay the ordinary and contingent expenses of the Illinois National Guard and the Illinois Naval Reserve.

7	Armory rent, fuel, light, janitor and incidentals	\$142,386.68
8	Camp and Garrison equipage, clothing and equipment, tools and in-	
9	struments	\$ 12,540.15
10	Pay of officers and men for camp and cruise duties under orders of	
11	commander-in-chief	\$ 62,451.86
12	Transportation of officers and men.....	\$ 49,431.37
13	Subsistence officers and men at encampments, practice marches and	
14	cruise duties under orders of commander-in-chief	\$ 31,923.45
15	Horse hire and forage	\$ 20,457.48

16	Dockage and repairs	\$ 337.30
17	Expense rifle practice (except pay of officers, enlisted men and ci-	
18	vilians)	\$ 30,153.69
19	Pay of permanent salaried officers, clerks, enlisted men and civilians..	\$ 16,313.29
20	Steam engineering	\$ 378.85
21	Miscellaneous expense	\$ 23,542.88
22	Total	\$389,917.00

23 That the further sum of fifty thousand dollars (\$50,000.00) is hereby appro-
 24 priated as an emergency fund to be used by the Governor in case of emergency
 25 when the Illinois National Guard or Illinois Naval Reserve are called into active
 26 duty by the Governor to protect the life and property of the citizens of the State.
 27 No portion of said sum shall be expended or paid except upon the express order of
 28 the Governor.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
 2 to draw his warrant for the sum herein specified, upon the presentation of
 3 proper vouchers, certified to by the Adjutant General and approved by the Gov-
 4 ernor, and the treasurer shall pay the same out of the money hereby appro-
 5 priated.



- 1 Introduced by Mr. Smejkal, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend sections 1, 2, 3, 6, 7, 8, 9, and 10 of an Act entitled "An Act to promote the public health by protecting certain employees in this State from the dangers of occupational diseases and providing for the enforcement thereof," approved May 26, 1911, in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 1, 2, 3, 6, 7, 8, 9, and 10 of an Act entitled "An Act to promote the public health by protecting certain employees in this State from the dangers of occupational diseases and providing for the enforcement thereof," approved May 26, 1911, in force July 1, 1911, be amended to read as follows:

Sec. 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That every employer of labor in this State covered by the provisions of this Act, shall, for the protection of all employees engaged in any work or process covered by section 2 of this Act, adopt and provide reasonable

11 and approved devices, means or methods for the prevention of such industrial
12 or occupational diseases as are incident to such work or process.

Sec. 2. Every employer in this State engaged in the carrying on of any
2 process of manufacture or labor in which sugar of lead, white lead, lead chro-
3 mate, litharge, red lead, arsenate of lead, or Paris green are employed, used or
4 handled by the employees therein in harmful quantities or under harmful condi-
5 tions, and every employer engaged in the manufacture of brass or the smelting of
6 lead or zinc, shall provide for and place at the disposal of the employees engaged
7 in any such process or manufacture and shall maintain in good condition and
8 without cost to the employees, proper working clothing to be kept and used ex-
9 clusively for such employees while at work, and all employees therein shall be
10 required at all times while they are at work to use and wear such clothing; and
11 in all processes of manufacture of labor referred to in this section which are
12 unnecessarily productive of noxious or poisonous dusts, adequate and approved
13 respirators shall be furnished and maintained by the employer in good condition
14 and without cost to the employees, and such employees shall use such respirators
15 at all times while engaged in any work necessarily productive of noxious or
16 poisonous dusts.

Sec. 3. Every employer covered by the provisions of this Act, shall, as often
2 as once every calendar month, cause all employees who come into direct contact
3 with the poisonous agencies or injurious processes referred to in section 2 of
4 this Act, to be examined by a competent licensed physician for the purpose of
5 ascertaining if there exists in any employee any industrial or occupational dis-
6 ease or illness or any disease or illness due or incident to the character of the
7 work in which the employee is engaged.

Sec. 6. Every employer covered by the provisions of this Act, shall provide,
2 separate and apart from the workshop in which such employees are engaged, a
3 dressing room and lavatory for the use of such employees who are exposed to
4 poisonous or injurious dusts, fumes and gases, and such lavatory shall be kept

5 and maintained in a clean and wholesome manner and provided with a sufficient
6 number of basins or spigots with adequate washing facilities, including hot and
7 cold water, clean towels and soap and showerbath, and the dressing rooms shall
8 be furnished with clothes presses or compartments, so that the ordinary street
9 clothes of such employees shall be kept separate and apart from their working
10 clothes.

Sec. 7. No employee of any employer covered by the provisions of this Act
2 shall take any food or drink of any kind into any room or apartment in which
3 any process or manufacture referred to in section 2 of this Act is carried on, or
4 in which poisonous substances or injurious or noxious fumes, dusts or gases are
5 present as the result of such work or process being carried on in such room or
6 apartment, and the employees shall not remain in any such room or apartment
7 during the time allowed for meals, and suitable provision shall be made and
8 maintained by the employer for enabling the employees to take their meals else-
9 where in such place of employment, and a sufficient number of sanitary closed re-
10 ceptacles containing wholesome drinking water shall be provided and maintained
11 for the use of the employees within reasonable access and without cost to
12 them.

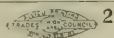
Sec. 8. All employers covered by the provisions of this Act, shall provide
2 and maintain adequate devices for carrying off all poisonous or injurious fumes
3 from any furnaces which may be employed in any such process or manufacture,
4 and shall also provide and maintain adequate facilities for carrying off all injur-
5 ious dust, and the floors in any room or apartment where such work or process
6 is carried on shall so far as practicable, be kept and maintained in a smooth and
7 hard condition, and no sweeping shall be permitted during working hours ex-
8 cept where the floors in such workshop are dampened so as to prevent the raising
9 of dust; and all ore, slag, dross and fume shall be kept in some room or apart-
10 ment separate from the working rooms occupied by the employees, and where
11 practicable, all mixing and weighing of such ore, slag, dross or fume shall be

12 done in such separate room or apartment, and all such material shall, so far as
13 practicable, be dampened before being handled or transported by employees.

Sec. 9. When any flues are used in any such process or manufacture re-
2 ferred to in section 2 of this Act by any employer covered by the provisions of
3 this Act, and such flues are being cleaned out or emptied, the employer shall in
4 every case provide and maintain a sufficient and adequate means or device, such
5 as canvas bags or other practicable device, or by dampening the dust, or some
6 other sufficient method for catching and collecting the dust and preventing it
7 from unreasonably fouling or polluting the air in which the employees are ob-
8 liged to work, and wherever practicable, the dust occasioned in any process or
9 manufacture covered by section 2 of this Act, and any polishing or finishing
10 therein, shall be dampened or wet down, and every reasonable precaution shall
11 be adopted by the employer to prevent the unnecessary creation or raising of dust,
12 and all floors shall be washed or scrubbed at least once every working day; and
13 such parts of the work or process as are especially dangerous to the em-
14 ployees, on account of poisonous fumes, dusts and gases, shall, where practic-
15 able, be carried on in separate rooms and under cover of some suitable and suf-
16 ficient device to remove the danger to the health of such employees, as far as
17 may be reasonably consistent with the manufacturing process, and the fixtures
18 and tools employed in any such process of manufacture, shall be thoroughly
19 washed and cleaned at reasonable intervals.

Sec. 10. All hoppers or chutes or similar devices used in the course of any
2 process or manufacture covered by section 2 of this Act shall, where practicable,
3 be provided with a hood or covering, and an adequate and sufficient apparatus or
4 other proper device for the purpose of drawing away from the employees nox-
5 ious, poisonous or injurious dusts, and preventing the employees from coming
6 into unnecessary contact therewith, and all conveyances or receptacles used for
7 the transportation about or the storage in any place where any such process or

8 manufacture covered by section 2 of this Act is carried on, shall be properly
9 covered or dampened in such way as to protect the health of the employees, and
10 no refuse of a dangerous character incident to the work or process carried on in
11 any such place shall be allowed to unnecessarily accumulate on the floors thereof.



1 Introduced by Mr. Brewer, April 8, 1915.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to provide for the free transportation of pupils to school.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever there shall be presented
3 to the board of directors of any school district in this State a petition signed
4 by at least fifteen (15) per cent of the legal voters of such district praying for
5 the submission to the legal voters of the district the question as to whether pro-
6 vision shall be made for the free transportation of pupils to the school of such
7 district, said board of directors shall cause such question to be submitted to the
8 legal voters of the district at the next regular school election to be held in such
9 district, not less than thirty (30) days from the date of the presentation of such
10 petition to the board of directors, and, if, at such election, a majority of the
11 electors of the district voting on said question shall vote in favor of the free
12 transportation of pupils said board of directors shall make provision therefor.

13 The vote on such proposition shall be by printed ballot which shall be sub-
14 stantially in the following form:

Free transportation of pupils.		Yes
		No

15 and the directors shall have the power and it shall be their duty, when peti-
 16 tioned as hereinbefore provided, to have such ballots printed at public expense
 17 from the school funds of the district. The votes cast on said question shall be
 18 counted, the result ascertained, certified to and returned to the township treas-
 19 urer as provided by law in case of election of school directors.



- 1 Introduced by Mr. Hamlin, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

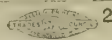
For an Act to amend an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903, as amended by subsequent Acts, by amending sections one (1) and two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act requiring reports of births and deaths, and the recording of the same and prescribing a penalty for non-compliance with the provisions thereof, and repealing certain Acts therein named," approved May 6, 1903, in force July 1, 1903, as amended by subsequent Acts, be and the same is hereby amended by amending sections one (1) and two (2) thereof, so that said sections when amended shall read as follows:

9 Sec. 1. *That whenever any woman shall give birth to a child, the father,*
10 *mother, physician, or any person attending said birth, shall within ten (10)*
11 *days thereafter file a certificate in the office of the county clerk of the county in*

12 *which said birth has taken place setting forth the fact of said birth, whether*
13 *said child is a male or female, and color, also date and place of such birth,*
14 *names and addresses of persons attending said birth and the names of the*
15 *father and mother of said child: Provided, that in cities of 50,000 or more in-*
16 *habitants reports may be made to the city commissioner of health instead of*
17 *the county clerk, if the commissioner of health shall so request. A certificate*
18 *filed as aforesaid by any one charged with the filing thereof shall release the*
19 *others.*

Sec. 2. *Any person who violates the provisions of section one (1) hereof*
2 *shall be fined not less than two hundred dollars (\$200.00) or imprisoned in the*
3 *county jail for one year, or both in the discretion of the court.*



- 1 Introduced by Mr. Quisenberry, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to repeal an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910; as amended by an Act approved and in force March 30, 1912; as amended by an Act approved May 27, 1912, in force July 1, 1912, and as amended by an Act approved June 30, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910; as amended by an Act approved and in force March 30, 1912; as amended by an Act approved May 27, 1912, in force July 1, 1912, and as amended by an Act approved June 30, 1913, in force July 1, 1913, be, and the same is hereby, repealed.



- 1 Introduced by Mr. Arthur Roe, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation to the State Game and Fish Conservation Commission for the promotion of the welfare of song and insectivorous birds.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of two thousand (\$2,000)
3 dollars, or so much thereof as may be necessary, out of the State treasury not
4 otherwise appropriated, be and the same is hereby appropriated to the State
5 Game and Fish Conservation Commission, to be used at the discretion of said
6 commission to encourage and organize bird protective associations among the
7 school children of the State; to promote the welfare of these birds in the game
8 reservations and sanctuaries of the State; to encourage the creation of bird
9 colonies in suitable localities and by such educational methods as the commission
10 shall deem best to make the necessity for the protection and propagation of
11 song and insectivorous birds better known throughout the State.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant upon the State Treasurer for the sum herein appropriated,
3 upon proper vouchers duly certified to by the State Game and Fish Conservation

4 Commission and approved by the Governor; and the State Treasurer shall pay
5 the same out of any fund in the State treasury not otherwise appropriated.

Sec. 3. The said State Game and Fish Conservation Commission shall keep
2 an accurate account of the amount so received by them, together with their
3 disbursements and expenditures thereof, showing for what and in what manner
4 said sums were expended; said account shall accompany their annual report to the
5 Governor and be made a part thereof.



1 Introduced by Mr. De Young, April 8, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act concerning real estate agency corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That corporations may be formed in the
3 manner provided by the general incorporation laws of this State, being an Act
4 entitled, "An Act concerning corporations," approved April 18, 1872, and in
5 force July 1, 1872, and all Acts amendatory thereof, for the purpose of carry-
6 ing on the real estate agency business, and when so formed shall be subject to
7 all provisions of law now or hereafter in force applying to corporations or-
8 ganized under said general incorporation laws.

Sec. 2. Real estate agency business within the meaning of this Act shall
2 consist of acting as agent for others in the purchase, sale, renting and manage-
3 ment of real estate and leasehold interests, and acting as agent for others in the
4 negotiation of loans on real estate and leasehold estates, and no real estate
5 agency corporation shall acquire or own real estate or any interest therein ex-
6 cept that it may lease an office or offices in which to conduct its agency business.



1 Introduced by Mr. Scholes, April 8, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an an Act prohibiting public officers from receiving or accepting from their deputies or employees any part or percentage of the salary of such deputies and employees, and providing a penalty therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly.* That it shall be unlawful for any person
3 holding any State, county or municipal public office, trust, or employment, by
4 virtue of which said office, trust or employment he employs or is furnished with
5 deputies, clerks, assistants, stenographers or other employees, who are paid out
6 of the public funds of said State, county or municipality, to take, receive, accept
7 or withhold from any such deputies, clerks, assistants, stenographers or other
8 employees, either directly or indirectly, any part, portion or percentage of the
9 compensation or salary paid or allowed said deputies, clerks, assistants, sten-
10 ographers or other employees and any such State, county or municipal public
11 officer who shall so accept any part, portion or percentage of such compensation
12 or salary of such deputies, clerks, assistants, stenographers or other employees,
13 shall be guilty of wilful and corrupt oppression or malfeasance, and shall be
14 fined not exceeding ten thousand dollars (\$10,000.00) and shall be removed from
15 his office, trust or employment.



- 1 Introduced by Mr. Holaday, April 8, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriation of additional sums for the completion of armories
now under construction.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be and is hereby appropriated
3 the sum of thirty thousand six hundred dollars (\$30,600.00) for the completion
4 of armories now under construction and authorized by an Act entitled, "An Act
5 in relation to the procuring of sites and for the erection of armory buildings
6 for the use of Illinois National Guard and Illinois Naval Reserve, and making
7 an appropriation therefor," approved June 9, 1911, in force July 1, 1911, and a
8 further Act entitled, "An Act in relation to procuring of sites and for the erec-
9 tion of armory buildings for the use of the Illinois National Guard, and making
10 an appropriation therefor, and for the purchase of sites and armory buildings
11 at Kewanee and Morrison, Illinois, approved June 28, 1913, in force July 1,
12 1913. The appropriation hereby made shall be used for the completion of armor-
13 ies now under construction as follows:

14	8th Infantry, Chicago	\$14,000.00
15	3rd Infantry, Aurora	2,000.00
16	3rd Infantry, Ottawa	14,600.00
		<hr/>
17	Total	\$30,600.00

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
 2 to draw his warrant on the Treasurer for the sum herein specified, upon the pre-
 3 sentation of proper vouchers, certified to by the Adjutant General and ap-
 4 proved by the Governor, and the Treasurer shall pay the same out of any
 5 moneys not otherwise appropriated.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 641

1915



1 Adopted April 27, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 641, as printed in the House, section 1, line 14, by
2 striking out the figures \$14,000.00 and inserting in lieu thereof the figures,
3 “\$18,000.00.”

AMENDMENT NO. 2.

Amend House Bill No. 641, as printed in the House, section 1, line 17, by
2 striking out the figures, “\$30,600.00,” and inserting in lieu thereof the figures,
3 “\$34,600.”

AMENDMENT NO. 3.

Amend House Bill No. 641, as printed in the House, section one, on line 3, by
2 striking out the words and figures, “thirty thousand six hundred dollars (\$30,-
3 600.00)” and insert in lieu thereof the words and figures “Thirty-four thousand
4 six hundred dollars (\$34,600.00).”



We, the undersigned Committee of Conference, appointed to consider the differences between the two Houses, in relation to the Senate amendments to House Bill No. 641, a bill for "An Act making appropriation of additional sums for the completion of armories now under construction," beg leave to report that we recommend the following as the action to be taken by the Senate and House of Representatives respectively:

We recommend that the Senate recede from Amendments Nos. 4 and 5.

Amend Amendment No. 1, as printed in the Senate, line 2, by striking out the words, "forty-four" and inserting in lieu thereof the words "forty-two;" in line 3 by striking out the figures 44,600.00 and inserting in lieu thereof the figures, 42,600.00.

Amend Amendment No. 2, as printed in the Senate, line 2 by striking out the figures "\$10,000 and insert in lieu thereof the figures, \$8,000.

Amend Amendment No. 3, as printed in the Senate, line 3, by striking out the figures \$44,600 and insert in lieu thereof the figures, \$42,600.00.

All of which is respectfully submitted.

A. J. OLSON,

JOHN BRODERICK,

PATRICK J. CARROLL,

R. J. BARR,

Committee on behalf of the
Senate.

EDWARD J. SMEJKAL,

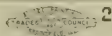
W. M. BROWN,

NORMAN G. FLAGG,

CLIFFORD QUISENBERRY,

MICHAEL FAHY,

Committee on behalf of the
House.



1 Introduced by Liberal Committee, April 13, 1915.

2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

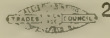
For an Act to amend an Act entitled, "An Act to restrict the powers of counties, cities, towns and villages in licensing dram-shops, to provide for granting a license to retail malt liquors separately, and for punishing persons holding such separate license for unlawful sale and gifts," approved June 15, 1883, in force July 1, 1883, by amending sections one (1) and two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to restrict the powers of counties, cities, towns and villages in licensing dram-shops, to provide for granting a license to retail malt liquors separately and for punishing persons holding such separate license for unlawful sale and gifts," approved June 15, 1883, in force July 1, 1883, now incorporated in what is commonly known as the dramshop Act, be and the same is hereby amended by amending section one (1), numbered in said dramshop Act as No. three (3) and section two (2), numbered in said dramshop Act as No. three a (3a), so that the said sections when amended shall read as inserted at length herein.

11 Sec. 1. (3) That hereafter it shall not be lawful for the corporate authori-
 12 ties of any city, town or village in this State to grant a license for the keeping
 13 of a dram-shop, *to any person not a citizen of the United States and a resident*
 14 *of such city, town or village* and except upon the payment, in advance, into the
 15 treasury of the city, town or village granting the license, such sum as may be
 16 determined by the respective authorities of such city, town or village, not less
 17 than at the rate of five hundred dollars (\$500), per annum: *Provided*, that in all
 18 cases when a license for the sale of malt liquors only is granted, the city, town
 19 or village granting such license, may grant the same on the payment, in ad-
 20 vance, of the sum of not less than at the rate of one hundred and fifty dollars
 21 (\$150) per annum: *And, provided, further*, that the city councils in cities, the
 22 board of trustees in towns, and president and board of trustees in villages, may
 23 grant permits to pharmacists for the sale of liquors for medicinal, mechanical,
 24 sacramental and chemical purposes only, under such restrictions and regulations
 25 as may be provided by ordinance.

26 Sec. 2. (3a) The county boards of each county may grant licenses to keep
 27 so many dram-shops in their county as they may think the public good requires,
 28 upon the application, by petition, of a majority of the legal voters of the town,
 29 if the county is under township organization, and if not under township organ-
 30 ization, then of a majority of the legal voters of the election precinct or district
 31 where the same is proposed to be located, and upon the payment into the county
 32 treasury of such sum as the board may require, not less than five hundred dol-
 33 lars (\$500) per annum for each license; and upon compliance with the provisions
 34 of an Act entitled, "An Act to provide for the licensing of, and against the evils
 35 arising from the sale of intoxicating liquors," approved March 3, 1874, in force
 36 July 1, 1874: *Provided*, that in all cases where a license is granted for the sale
 37 of malt liquors only, such board may grant the same, upon the payment into the
 38 county treasury of a sum not less than one hundred and fifty dollars (\$150) per
 39 annum for each license: *Provided, further*, such board shall not have power

40 to issue any license to keep a dram-shop in any incorporated city, town or vil-
41 lage, or within two miles of the same in which the corporate authorities have au-
42 thority to license, regulate, restrain or prohibit the sale of liquors, or in any
43 place where the sale of liquors is prohibited by law: *And, provided, further,*
44 *that no license to keep a dram-shop or to sell intoxicating liquor shall ever be*
45 *granted, by any city, village, or county authority or by any other authority, to*
46 *any person not a citizen of the United States and a resident of the county in*
47 *which the license to keep a dram-shop is sought.*



- 1 Introduced by Mr. Brinkman, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend section 25 of an "Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That section 25 of an Act entitled, "An Act to revise the law in relation to counties," approved and in force March 31, 1874, as amended by subsequent Acts, be and the same hereby is amended so as to read as follows:*

6 Sec. 25. The county boards of the several counties shall have power—

7 First—To take and have the care and custody of all the real and personal
8 estate owned by the county.

9 Second—To manage the county funds and county business, except as other-
10 wise specifically provided.

11 Third—To examine and settle all accounts against the county, and all ac-
12 counts concerning the receipts and expenditures of the county.

• 13 Fourth—To cause to be erected, or otherwise provided, a suitable workhouse,
 14 in which persons convicted of offenses punishable by imprisonment in the county
 15 jail may be confined and employed, and to make rules and regulations for the
 16 management thereof. They may contract for the use of the city workhouse
 17 when the same can satisfactorily be done.

18 Fifth—To cause to be erected, or otherwise provided, suitable buildings
 19 for, and maintain, a county insane asylum, and provide for the management of
 20 the same.

21 Sixth—To cause to be annually levied and collected taxes for county pur-
 22 poses, including all purposes for which money may be raised by the county by
 23 taxation, not exceeding 75 cents on the one hundred dollars' valuation, and in
 24 addition thereto an annual tax not exceeding one hundred cents on the one hun-
 25 dred dollars for the purposes of paying the interest and principal of indebted-
 26 ness which existed at the time of the adoption of the constitution.

27 Seventh—To authorize the vacation of any town plat when the same is not
 28 within any incorporated town, village or city, on the petition of two-thirds of the
 29 owners thereof.

30 Eighth—To change the name of any town plat on the petition of a majority
 31 of the legal voters residing therein when the inhabitants thereof have not be-
 32 come a body corporate.

33 Ninth—To cause to be erected, or otherwise provided, and maintained, all
 34 suitable buildings for a sanitarium for the care and treatment of all persons
 35 suffering from tuberculosis who may be admitted to said sanitarium by, or under
 36 the direction of said board, and to provide for the maintenance and management
 37 of the same.

38 Tenth—*To provide, by resolution, that any map, plat or subdivision of any*
 39 *block, lot or sub lot or any part thereof or any piece or parcel of land, not being*
 40 *within any city, village or incorporated town, shall be submitted to the county*
 41 *board or to some officer to be designated by such county board for their or*
 42 *his approval; and in such cases no such map, plat or subdivision shall be en-*
 43 *titled to record in the proper county or have any validity until it shall have*
 44 *been so approved.*



- 1 Introduced by Mr. Burres, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making appropriations for the University of Illinois.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That there be and is hereby appropriated
3 to the University of Illinois for the biennium beginning July 1, 1915, the sum
4 of five million, one hundred and forty-two thousand, five hundred and sixteen
5 dollars (\$5,142,516), payable out of money paid into the State treasury and
6 set apart as a fund for the use and maintenance of the University of Illinois, in
7 accordance with an Act entitled, "An Act to provide by State tax for a fund
8 for the support and maintenance of the University of Illinois," approved June
9 10, 1911, in force July 1, 1911, payable as follows:

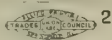
10 1. For maintenance, equipment, general operating expense, purchase of
11 land and erection of buildings, two million five hundred and seventy-one thou-
12 sand two hundred and fifty-eight dollars (\$2,571,258) per annum.

Sec. 2. The appropriations made herein shall be paid only out of moneys

2 paid into the State treasury and set apart for the use and maintenance of the

3 University of Illinois in accordance with the provisions entitled, "An Act to pro-
4 vide by State tax for a fund for the support and maintenance of the University
5 of Illinois," approved June 10, 1911, in force July 1, 1911.

6 The Auditor of Public Accounts is hereby authorized and directed to draw
7 his warrants from time to time upon the State Treasurer for amounts expend-
8 ed or bills then due, from the sums herein appropriated, payable severally to
9 the persons named, upon the presentation of itemized vouchers therefor, certi-
10 fied to by the President and Secretary of the Board of Trustees of the Uni-
11 versity of Illinois, with the corporate seal of the University attached thereto.



1 Introduced by Mr. Buxton, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act providing for a system of probation, for the appointment and compensation of probation officers, and authorizing the suspension of final judgment and the imposition of sentence upon persons found guilty of certain defined crimes and offenses, and legalizing their ultimate discharge without punishment," approved June 10, 1911, in force July 1, 1911, by amending sections two (2), three (3) and four (4) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act providing for a system of probation, for the appointment and compensation of probation officers, and authorizing the suspension of final judgment and the imposition of sentence upon persons found guilty of certain defined crimes and offenses, and legalizing their ultimate discharge without punishment," approved June 10, 1911, in force July 1, 1911, by amending sections two (2), three (3) and four (4) thereof so that the said sections when amended shall read as inserted at length herein.

Sec. 2. Any defendant, adult or juvenile, who has never previously been
 2 convicted of any crime *greater than a misdemeanor, either before or after sen-*
 3 *tence upon a plea of guilty or the verdict of a jury, may request the judge who*
 4 *presided at his trial to be admitted to release on probation according to the*
 5 *provisions of this Act, and the courts having jurisdiction thereof may pass*
 6 *upon and make such orders relative thereto as to justice may appertain, either*
 7 *in term time or vacation. Power to release on probation shall, however, be lim-*
 8 *ited to the following offenses:*

9 First—All violations of municipal ordinances where the offense is also a
 10 violation, in whole or in part, of a statute.

11 Second—All misdemeanors, except as hereinafter limited.

12 Third—The obtaining of money or property by false pretenses, where the
 13 value thereof does not exceed two hundred (\$200.00) dollars.

14 Fourth—Larceny, embezzlement and malicious mischief where the property
 15 taken or converted or the injury done does not exceed two hundred (\$200.00)
 16 dollars in value.

17 Fifth—Burglary, where the amount feloniously taken does not exceed two
 18 hundred (\$200.00) dollars in value and the place burglarized was a place other
 19 than a business house, dwelling or other habitation.

20 Sixth—Attempt to commit burglary when the place attempted to be burglar-
 21 ized was a place other than a business house, dwelling, or other habitation.

22 Seventh—Burglary, when the burglar is found in a building other than a
 23 business house, dwelling house, or other habitation.

Sec. 3. Orders granting or refusing release on probation shall be entered
 2 of record. Application for release on probation may, in the discretion of the
 3 court, be granted if it shall appear to the satisfaction of the court both that
 4 there is reasonable ground to expect that the defendant may be reformed and
 5 that the interests of society will be subserved. If such application is granted,
 6 the judge granting the same shall thereupon enter an order continuing the
 7 cause for a period not exceeding six months in cases of violation of municipal

ordinances where the offense is also a violation, in whole or in part, of a statute and not exceeding one year in the case of other offenses enumerated in section two of this Act, and shall by such order, fix and specify the terms and conditions of the probation of such defendant as herein provided, *together with such other terms as the court or judge admitting to probation may provide.* A cause continued pursuant to the provisions of this Act shall be deemed subject to the jurisdiction of the court in which it is pending, or any judge thereof, for the full period of its continuance, during which time orders may be entered with respect to the conditions of probation, or final sentence imposed without the formal setting aside of such order of continuance.

Sec. 4. Release on probation shall be upon the following conditions, *and such other conditions as may be imposed by the court:*

(1) That the probationer shall not, during the term of his probation, violate any criminal law of the State of Illinois, or any ordinance of any municipality of said State.

(2) That if convicted of a felony or misdemeanor he shall not, during the term of his probation, leave the State without the consent of the court (granting his application for probation).

(3) That he shall make a monthly report of his whereabouts, conduct and employment and furnish such other information relating to the conditions of his probation as may from time to time be required by rule or order of court, to the probation officer under whose charge he has been placed, and shall appear in person before the court at such time as the court may direct or the rule of court provide.

(4) That he shall enter into a bond or recognizance in such sum as the court may direct, with or without sureties, to perform the conditions imposed, which shall run to the People of the State of Illinois and may be sued on by any person thereunto authorized by the court for the use of the parties in interest as the same may appear.

20 And the court may impose any one or more of the following additional con-
21 ditions and no others:

22 (1) That he shall make restitution, in whole or in part, immediately or
23 within the period of probation to the person or persons injured or defrauded.

24 (2) That he shall make contribution from his earnings for the support of
25 those dependent upon him subject to the supervision of the court.

26 (3) That he shall pay the costs of the proceeding, not exceeding one
27 dollar per month during the continuance of the probation.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 645

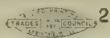
1915



1 Adopted June 11, 1915.

AMENDMENT NO. 1.

Amend section 2 of printed House Bill No. 645, by inserting in line 2 of
2 said section on page 2, after the word "misdemeanor" the following: "may, in
3 misdemeanor cases."



- 1 Introduced by Mr. Buxton, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to criminal jurisprudence," approved March 27, 1874, in force July 1, 1874, as subsequently amended by amending section 35 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to criminal jurisprudence," approved March 27, 1874, in
4 force July 1, 1874, as subsequently amended be and the same is hereby amended
5 by amending section 35 thereof so that said section shall read when amended
6 as follows:

Sec. 35. Whenever in any investigation before a grand jury, or the trial
2 of any person charged with any *criminal* offense, it shall appear to the court
3 that another person than the one charged is a material and necessary witness
4 in the case, and that his testimony would tend to criminate himself, the court
5 may cause an order to be entered of record that such witness be released from
6 all liability to be prosecuted or punished on account of any matter to which he
7 shall be required to testify, and upon such order being entered, such witness shall

8 be compelled to testify; and after he shall testify such order shall forever
9 after be a bar to any indictment, information or prosecution against him for
10 such matter. And when any such witness is admitted to testify on the trial
11 and does so testify the defendant shall also, at his own request be deemed a
12 competent witness, but his neglect or refusal to testify shall not create any
13 presumption against him, nor shall the court permit any reference or comment
14 to be made to or upon such neglect or refusal.



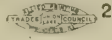
1 Introduced by Mr. Chas. Curren, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation of the sum of seven hundred and fifty dollars for the payment of damages for injuries suffered by and as compensation for the injury to Bertha Stilley.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of seven hundred and fifty
3 dollars (\$750.00) be, and the same is hereby appropriated and directed to be paid
4 from any fund not otherwise appropriated in the State treasury of the State
5 of Illinois, for the payment of damages for injuries suffered by
6 Bertha Stilley, and as compensation for the said injury to the said
7 Bertha Stilley, which said injuries were received at the Illinois asylum for
8 feeble-minded children, at the City of Lincoln, in the State of Illinois, on the
9 11th day of June, A. D. 1913. That the Auditor of Public Accounts of said State
10 be, and he is hereby directed to draw his warrant on the State Treasurer in
11 favor of the said Bertha Stilley for the said sum of seven hundred and fifty
12 dollars, to be paid out of any moneys in the State treasury not otherwise ap-
13 propriated.



1 Adopted May 31, 1915.

AMENDMENT NO. 1.

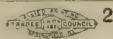
Amend House Bill 647, as printed, in the House, in the title thereof after the
2 words "sum of" by striking out the words "seven hundred and fifty" and in-
3 serting in lieu thereof the words "five hundred".

AMENDMENT NO. 2.

Amend House Bill 647, as printed, in the House, section 1, lines two and
2 three, by striking out the words and figures "seven hundred and fifty dollars
3 (\$750.00)" and inserting in lieu thereof the words and figures "five hundred dol-
4 lars (\$500.00)".

AMENDMENT NO. 3.

Amend House Bill 647, as printed, in the House, section 1, line 11, by strik-
2 ing out the words "seven hundred and fifty" and inserting in lieu thereof the
3 words "five hundred".



- 1 Introduced by Mr. Chas. Curren, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation of the sum of seven thousand five hundred dollars (\$7,500.00) for the payment of damages and as compensation to Sadie Jasper, administratrix of the estate of John Jasper, deceased, on account of the death of the said John Jasper.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of seven thousand five hun-
3 dred dollars (\$7,500.00) be, and the same is hereby appropriated and directed
4 to be paid from any fund not otherwise apporpriated in the State treasury of
5 the State of Illinois, for the payment of damages and compensation to the said
6 Sadie Jasper, administratrix of the estate of John Jasper, deceased, for the
7 death of the said John Jasper which occurred on the 22nd day of May, A. D. 1913,
8 at the Anna State Hospital, for the insane, at the City of Anna, in the said
9 State of Illinois, while the said John Jasper was then and there in the employ of
10 said State at said hospital. That the Auditor of Public Accounts of said State
11 be, and he is hereby, directed to draw his warrant on the State Treasurer in
12 favor of the said Sadie Jasper, administratrix of the estate of the said John

13 Jasper, deceased, for the said sum of seven thousand five hundred dollars
14 (\$7,500.00), to be paid out of any moneys in the State treasury not otherwise ap-
15 propriated.



1 Adopted June 11, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 648, as printed in the House, in the title thereof,
2 by striking out the words and figures "seven thousand five hundred dollars
3 (\$7,500.00)" and inserting in lieu thereof the words and figures "three thou-
4 sand five hundred dollars (\$3,500.00)".

AMENDMENT NO. 2.

Amend House Bill No. 648, as printed in the House, section 1, lines 2 and 3,
2 by striking out the words and figures "seven thousand five hundred dollars
3 (\$7,500.00)" and inserting in lieu thereof the words and figures "three thou-
4 sand five hundred dollars (\$3,500.00)".

AMENDMENT NO. 3.

Amend House Bill No. 648, as printed in the House, section 1, lines 13 and
2 14, by striking out the words and figures "seven thousand five hundred dollars
3 (\$7,500.00)" and inserting in lieu thereof the words and figures "three thousand
4 five hundred dollars (\$3,500.00)".

1 Introduced by Mr. Donahue, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Education.

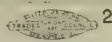
A BILL

For an Act to amend an Act entitled, "An Act enabling trustees, boards of education, and other corporate authorities of universities, colleges, township high schools and all other educational institutions, established and supported by this State, or by a township, to exercise the right of eminent domain, approved May 24, 1907, in force July 1, 1907.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section one of an Act entitled, "An
3 Act enabling trustees, boards of education, and other corporate authorities of
4 universities, colleges, township high schools and all other educational institu-
5 tions established and supported by this State, or by a township, to exercise the
6 rights of eminent domain," approved May 24, 1907, in force July 1, 1907, be
7 and the same is hereby amended so as to read as follows:

8 Sec. 1. That whenever any lot or parcel of land shall be needed as a site for a
9 building or addition thereto to be erected, or for any other lawful purpose con-
10 nected therewith for any university, college, township high school, public high
11 school, public school or other educational institution, established and supported

12 by this State, by a township or a city therein or under the control and charge
13 of a board of education in any city, and compensation for such lot or parcel of
14 ground cannot be agreed upon between the owner or owners thereof and the
15 trustees, board of education, or other corporate authority of such university,
16 college, township high school, public high school or public school or other edu-
17 cational institution so needing such lot or parcel of land for any of such pur-
18 poses, then such trustees, board of education or other corporate authority of
19 such university, college, township high school, public high school, public school
20 or other educational institution shall have the power and it shall be their duty
21 to proceed to have such compensation determined in the matter which may be at
22 the time provided by law for the exercise of the right of eminent domain.



- 1 Introduced by Mr. Farrell, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend an Act entitled, "An Act to amend an Act entitled, 'An Act regulating the holding of elections and declaring the result thereof in cities, villages and incorporated towns in this State,'" approved June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18, 1891, in force July 1, 1891, as amended by an Act approved April 24, 1899, in force July 1, 1899, as subsequently amended, by amending section six (6) of article four (4) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to amend
3 an Act entitled, 'An Act regulating the holding of elections and declaring the
4 result thereof in cities, villages and incorporated towns in this State,'" approved
5 June 19, 1885, in force July 1, 1885, as amended by an Act approved June 18,
6 1891, in force July 1, 1891, as amended by an Act approved April 24, 1899, in force
7 July 1, 1899, as subsequently amended shall read as follows:

8 Sec. 6. The vote of no one shall be received by said judges whose name does
9 not appear upon said registers as a qualified voter: *Provided, however, that*

10 any elector whose name has been placed upon the original registration books as
11 a qualified primary elector by the board of election commissioners, or the pre-
12 cinct board of registry, in conformity with the provisions of section 43 of an Act
13 entitled, "An Act to provide for the holding of primary elections by political par-
14 ties, approved March 9, 1910, in force July 1, 1910, as amended by Act of June
15 30, 1913," may vote at such election.



- 1 Introduced by Mr. Flagg, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act to amend an Act concerning the circuit courts, and to fix the time for holding the same in the several counties of the judicial circuits of the State of Illinois, exclusive of the County of Cook, approved May 24, A. D. 1879, in force July 1, A. D. 1879, approved June 11th, A. D. 1897, in force July 1st, A. D. 1897, as amended by an Act approved May 11th, A. D. 1901, in force July 1st, A. D. 1901.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 4, paragraph 78 C, be amended to read as follows:

Third Circuit—In the county of Randolph on the 1st Monday in March and the 4th Monday in September. In the county of Monroe on the 3rd Monday in March and the 1st Monday in September. In the county of St. Clair on the 2nd Monday in January, 2nd Monday in April and the 2nd Monday in September. In the county of Madison on the 2nd Monday of January and the 3rd Monday in March, on the 4th Monday of May and the 3rd Monday of October. In the

10 county of Bond on the 2nd Monday in May, the 3rd Monday of September and
11 the 2nd Monday in January. In the county of Washington the 2nd Monday of
12 April and the 2nd Monday of October. In Perry county on the 1st Mondays
13 in May and November.

Sec. 2. That all suits, writs and processes of every kind and nature, either
2 civil or criminal, heretofore commenced, or pending in said circuit court, or that
3 may be pending therein, at the time that the Act takes effect, shall be cogniz-
4 able and triable after the first term after this Act takes effect.

Sec. 3. All Acts and parts of Acts in conflict herewith are hereby repealed.

- 1 Introduced by Mr. Gardner (by request), April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the relief of Andrew Holmes.

WHEREAS, Andrew Holmes, while a police officer, regularly assigned to the
2 detective bureau, Department of Police, City of Chicago, County of Cook, and
3 State of Illinois, was, on or about the 19th day of December, A. D. 1912, de-
4 tailed by his commanding officer to go to New Haven, Connecticut, and to bring
5 back to Chicago one Lillian Smith, alias Lillian Stewart, who then stood charged
6 with the crime of larceny, under a certain indictment issued by the Grand Jury
7 of Cook County, Illinois. In compliance with said order, he left Chicago on
8 said 19th day of December, arrived at New Haven, Connecticut, on the evening
9 of December 21st, 1912, had said Lillian Smith alias Lillian Stewart turned over
10 to him on December 22nd, 1912, and immediately left New Haven with her, and
11 upon arriving in Chicago, turned her over into the custody of the sheriff of Cook
12 County; for all of which services said Andrew Holmes incurred the necessary ex-
13 pense of \$160.12, and interest at five (5) per cent from December 20th, 1912, of
14 \$18.68, making a total of \$178.80, which said amount he was obliged to personally
15 advance, making it necessary for him to borrow the money so to do. Said expense
16 so incurred has not yet been refunded to said Andrew Holmes by the State of
17 Illinois; therefore as compensation therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the Auditor of Public Accounts be
3 and is hereby directed to draw his warrant on the State Treasurer, in favor of
4 the said Andrew Holmes, for the sum of \$178.80, the said sum to be paid out of
5 the moneys in the State Treasury not otherwise appropriated.



- 1 Introduced by Mr. Gorman, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act in relation to procuring of site and erection of armory building for the use of the Illinois National Guard and Illinois Naval Reserve and making appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That a commission consisting of the adjutant General, Regimental Commanders of the Illinois National Guard and Commanding Officer, Illinois Naval Reserve, respectively, for whose organizations an armory is to be erected as hereinafter provided for in this Act, is hereby constituted with full power to carry out provisions of this Act as hereinafter set
7 forth.

Sec. 2. It shall be the duty of the commission named in section 1 of this Act, to meet and organize as soon as practical after taking effect of this Act by electing out of their number a president and another as secretary.

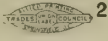
Sec. 3. It shall be the duty of said commission to select a suitable site and
2 procure in the name of the State of Illinois, title to site so selected for the erec-

tion of an armory for the use of the following respective organizations . of the Illinois National Guard and Illinois Naval Reserve, as are now situate in the City of Peoria or may hereafter be there organized, to-wit: Companies H and G, 5th Infantry; K, 8th Infantry; Troop G, 1st Cavalry and 8th Division, Illinois Naval Reserve. All title deeds shall be filed in the office of the Secretary of State.

After said commission shall have selected a site for the erection of the armory above provided for in section 3 of this Act, and acquired in the name of the State of Illinois, title to such site so selected, it shall be the duty of said commission to exercise the general management, control and supervision of all matters pertaining to the erection and construction of said armory and shall make and let all contracts necessary fully to construct, build and erect such armory.

In order to carry out the provisions of this Act, there is hereby appropriated the following sum for securing site and for the erection of said armory, fifty thousand dollars (\$50,000.00).

The Auditor of Public Accounts is hereby authorized and directed to draw his warrant on the treasurer for the sum herein specified, upon the presentation of proper vouchers certified to by the Adjutant General and approved by the Governor, and the treasurer shall pay the same out of any moneys not otherwise appropriated.



1 Introduced by Mr. Hamlin, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act to amend "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912, by adding thereto a new provision to be known as section 4 (K).

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 4 of an Act entitled, "An
3 Act to revise the laws relating to charities," approved June 11, 1912, in force
4 July 1, 1912, be and hereby is amended by adding thereto a new provision to
5 be known as section 4 (K), which shall read as follows:

6 Sec. 4 (K). Whenever the board is satisfied the premises of any State
7 charitable institution vested in it are no longer required in whole or in part
8 for the State charitable purposes for which they were provided, or are being
9 used, the board shall have power and it shall be its duty to devote such prem-
10 ises in whole or in part to some other State charitable purpose or purposes,
11 and to make all such changes and alterations in the premises and such addi-
12 tions thereto as the board may think necessary and proper to adapt and
13 equip the premises for the changed State charitable purpose or purposes.



1 Introduced by Mr. Hamlin, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act to better provide for the care and detention of feeble-minded persons.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The words "feeble-minded person" in
3 this Act shall be construed to mean any person afflicted with mental defective-
4 ness from birth or from an early age, so pronounced that he is incapable of
5 managing himself and his affairs, or of being taught to do so, and requires
6 supervision, control and care for his own welfare, or for the welfare of others,
7 or for the welfare of the community, who is not classifiable as an "insane per-
8 son" within the meaning of "An Act to revise the law in relation to the com-
9 mitment and detention of lunatics, and to provide for the appointment and re-
10 moval of conservators, and to repeal certain Acts therein named," approved
11 June 21, 1893, in force July 1, 1893.

Sec. 2. From and after the taking effect of this Act, no feeble-minded
2 person shall be sent to any public institution for the feeble-minded except as
3 hereinafter provided.

Sec. 3. When any person residing in this State shall be supposed to be feeble-minded and by reason of such mental condition of feeble-mindedness and of social conditions, such as want of proper supervision, control, care and support, or other causes, it is unsafe and dangerous to his welfare, or to the welfare of others, or to the welfare of the community, for him to be at large without supervision, control and care, any relative, parent, guardian, conservator or friend of such supposed feeble-minded person, or any reputable citizen of the county in which such supposed feeble-minded person resides or is found, may file with the clerk of either the circuit court, or of the Superior Court of Cook County, or of the county court, of the county in which such supposed feeble-minded person resides or is found, or with the clerk of the municipal court of Chicago when the supposed feeble-minded person resides, or is found in the city of Chicago, a petition in writing under oath setting forth that the person named is feeble-minded, and the facts and circumstances touching the social conditions, such as want of proper supervision, control, care and support, or other causes, making it unsafe and dangerous to the welfare of the supposed feeble-minded person, to the welfare of others, and to the welfare of the community, for him to be at large without special supervision, control and care; also the names and residences, or that the same are unknown to the petitioners, of the persons actually supervising, caring for, or supporting the alleged feeble-minded person, and of the persons legally chargeable with his supervision, care or support; and the names and residences of the witnesses by whom the truth of the allegations contained in the petition may be proved, one of whom at least must be a qualified physician having personal knowledge of the case: *Provided*, that when it shall appear by such petition that the person alleged to be feeble-minded has not been examined by a physician, the judge may appoint a qualified physician of the county to make such examination and allow him compensation therefor, not exceeding five dollars, which shall be taxed and collected as is herein provided in respect to other costs. The petition must be accompanied by sworn answers in writing by the petitioner to such interrogatories as may be

propounded in a form to be prescribed by the Board of Administration. If the petition is not filed by a relative, guardian or conservator of the supposed feeble-minded person, it shall state the reasons why the petition is not filed by any relative, the guardian or conservator, and the connection of the petitioner with the supposed feeble-minded person, and the circumstances under which he files the petition.

Sec. 4. Upon the filing of a petition under this Act, unless the person alleged to be feeble-minded shall be brought before the court with a writ, or unless an affidavit of some credible person shall be filed setting forth the facts and circumstances sufficient to satisfy the judge it would be improper to have the alleged feeble-minded person brought before the court, the judge of the court shall direct the clerk to issue a writ directed to the person having the alleged feeble-minded person under his supervision and care; or to any other reputable person the judge in his discretion may select, or to the sheriff, or to any constable, or bailiff, commanding that the alleged feeble-minded person be brought before the court at such time and place as the judge may appoint for the hearing and determination of the petition. The court may order that pending the hearing of the petition the alleged feeble-minded person be detained in a place of safety, or shall be placed under the guardianship of some suitable person on that person entering into a recognizance for his appearance.

Sec. 5. In no case shall the hearing on the petition take place until the person alleged to be feeble-minded and one or more of those named in the petition as having actual supervision and care of the alleged feeble-minded person, and one or more of those named in the petition as being legally chargeable with his supervision, care and support, shall have been notified and given an opportunity to be heard as the court shall direct.

Sec. 6. The hearing on the petition shall be by commission. The judge shall preside. And the hearing may be in open court or in chambers, or at such other place as the judge, in his discretion, may appoint. In any case where the

4 person alleged to be feeble-minded is not represented by any person, the court,
5 in its discretion, may appoint some suitable person to act in his behalf. And
6 except as herein otherwise provided the rights of the alleged feeble-minded per-
7 son shall be the same as a defendant in a civil suit. The judge may require all
8 persons other than the petitioner, the feeble-minded person, one or more of his
9 relatives and friends, the witnesses, the licensed attorneys engaged in the case,
10 and the officers of the court, to withdraw during the hearing, but the presence
11 of the feeble-minded person shall not be regarded as so indispensable that no
12 proceedings may be had during his absence, if the judge thinks his absence
13 proper and desirable.

Sec. 7. The judge shall appoint a commission of two qualified physicians,
2 or one qualified physician and one qualified psychologist, who are residents of
3 the county, to be selected by the judge on account of their known competency
4 and integrity, who shall make a personal examination of the alleged feeble-
5 minded person touching his mental condition, and also shall inquire into the al-
6 leged social conditions, such as want of proper supervision, control, care or sup-
7 port, or other causes making it unsafe and dangerous to the welfare of the al-
8 leged feeble-minded person, to the welfare of others, and to the welfare of the
9 community, for him to be at large without supervision, control and care; and
10 they shall file with the clerk of the court, in writing, verified by affidavit, of
11 the result of their examination of mental condition and social conditions afore-
12 said, setting forth their conclusions and recommendations. They shall also file
13 with the said report answers to such interrogatories as may be propounded
14 in a form to be prescribed by the Board of Administration, certifying that the
15 answers are correct to the best of their knowledge and belief. The commission
16 herein provided for shall have power to administer oaths and take sworn tes-
17 timony under the supervision, direction and control of the judge.

Sec. 8. The court, if dissatisfied with the conclusions and recommendations
2 of the commission, may set the same aside and dismiss the proceedings, or

3 order a new hearing by the same or a new commission, or make new findings of
4 fact and substitute such new findings of fact in the place of the conclusions and
5 recommendations of the commission, and on such review by the court of the con-
6 clusions and recommendations of the commission, the court may hear fresh evi-
7 dence, if the court thinks fit.

Sec. 9. In accordance with the final conclusion of fact touching the mental

2 condition and social conditions alleged in the petition, the court shall enter a
3 proper order for the disposition of the person alleged to be feeble-minded. If
4 the court is satisfied the alleged feeble-minded person is not feeble-minded, the
5 order shall dismiss the petition and discharge the person. If the court is satis-
6 fied the alleged feeble-minded person is feeble-minded, and subject to be dealt
7 with under this Act, the order may appoint a suitable person to be the guardian
8 of the person of the feeble-minded person, or may direct that the feeble-minded
9 person be sent to a private institution qualified and licensed under the laws of
10 the State to receive him, whose managers are willing to receive him; or may
11 direct that he be placed in a public institution for the feeble-minded, as seems
12 best to the court having regard to all the circumstances appearing on the hear-
13 ing, the court's guiding and controlling thought throughout the proceedings to
14 be the welfare of the feeble-minded person, the welfare of others, and the wel-
15 fare of the community. Whatever order may be made in the case shall stand,
16 and continue to be binding upon all persons whom it may concern, until re-
17 scinded or otherwise regularly superceded or set aside.

Sec. 10. An order that the feeble-minded person be placed under guardian-

2 ship shall confer on the person named in the order as guardian such powers,
3 subject to the regulations of the Board of Administration, as would have
4 been exercisable if he had been the father of the feeble-minded, and the feeble-
5 minded person had been under the age of fourteen.

Sec. 11. Where an order has been made that a feeble-minded person be
2 placed under guardianship, the guardian may be removed by the court that ap-

3 pointed him, on the application of the feeble-minded person, or of any relative
 4 or friend of the feeble-minded person, or of any reputable citizen or of the
 5 Board of Administration; and when the guardian dies, resigns or is removed,
 6 the court may, on a like application, appoint a suitable person to act in his
 7 stead. And on application of the guardian, or of the feeble-minded person, or
 8 of any relative or friend of the feeble-minded person, or of any reputable citizen,
 9 or of the Board of Administration, the court that appointed the guardian, on
 10 being satisfied that the case is, or has become one unsuitable for guardianship,
 11 may order that the feeble-minded person be discharged from guardianship and
 12 set free, or be sent to a private institution qualified, and licensed under the laws
 13 of the State to receive him, whose managers are willing to receive him, or be
 14 sent to a public institution for the feeble-minded, as seems best to the court, hav-
 15 ing regard to all the circumstances appearing on the hearing. No order shall
 16 be made discharging or varying a prior order placing the feeble-minded person
 17 under guardianship without giving one or more of the relatives or friends of
 18 the feeble-minded person, his guardian and the Board of Administration notice
 19 and an opportunity to be heard.

Sec. 12. Upon the entry of an order directing that a feeble-minded person
 2 be sent to an institution for feeble-minded persons, the clerk of the court shall
 3 send a copy of the order to the superintendent of the institution to which such
 4 feeble-minded person is ordered to be sent, and such superintendent shall re-
 5 ceive such feeble-minded person as a charge in such institution: *Provided*, that
 6 if on account of the crowded condition of a public institution it is impossible to
 7 accommodate such feeble-minded person, the superintendent shall inform the
 8 court with the promise that the court be notified at once when the next vacancy
 9 occurs, and that such feeble-minded person be then received as a charge in such
 10 public institution.

Sec. 13. For the conveyance of any feeble-minded person to any public or
 2 private institution for the feeble-minded, admission thereto having been or-

3 dered by the court as herein provided, the clerk shall issue a warrant in dupli-
4 cate directed to the petitioner, or to some suitable reputable person, as the judge
5 may select, commanding him to take such feeble-minded person and deliver him
6 to the superintendent of the institution. When the judge thinks necessary, he
7 may direct the clerk to authorize the employment of one or more assistants, but
8 no feeble-minded person shall be taken to the institution by any male person
9 not her husband, father, brother or son, without the attendance of some woman
10 of good character and mature age chosen for the purpose by the judge. Upon
11 receiving the feeble-minded person, the superintendent of the institution shall
12 endorse upon the warrant his receipt, naming the person or persons from whom
13 the feeble-minded person is received, and one copy of the warrant so endorsed
14 shall be returned to the clerk of the court to be filed with the other papers in
15 the case, and the other shall be left with the superintendent and the person de-
16 livering the feeble-minded person shall endorse thereon that he has so delivered
17 him, and said duplicate warrant shall be *prima facie* evidence of the facts set
18 forth therein and in said endorsement.

Sec. 14. No feeble-minded person admitted to an institution for the feeble-
2 minded pursuant to an order of court as herein provided shall be discharged
3 therefrom except as herein provided, except that nothing herein contained shall
4 abridge the right of petition for the writ of habeas corpus. At any time after
5 the admission of the feeble-minded person to an institution for the feeble-
6 minded, pursuant to an order of court as herein provided, the feeble-minded
7 person, or any of the relatives or friends of the feeble-minded person, or any
8 reputable citizen, or the superintendent of the institution having the feeble-
9 minded person in charge, or the Board of Administration, may petition the
10 court that entered the order of admission, to discharge the feeble-minded per-
11 son, or to vary the order of the court sending the feeble-minded person to an in-
12 stitution. If, on the hearing of the petition, the court is satisfied that the wel-
13 fare of the feeble-minded person, or the welfare of others, or the welfare of the
14 community requires his discharge, or a variation of the order, the court may

15 enter such order of discharge or variation, as the court thinks proper. Dis-
16 charged and variations of orders may be made for either of the following causes:
17 Because the person adjudged to be feeble-minded is not feeble-minded; because
18 he has so far improved as to be capable of caring for himself; because the rela-
19 tives or friends of the feeble-minded person are able and willing to supervise,
20 control, care for and support him and request his discharge, and in the judg-
21 ment of the superintendent of the institution having the person in charge, no
22 evil consequences are likely to follow such discharge; but the enumeration of
23 grounds of discharge or variation herein shall not exclude other grounds of dis-
24 charge or variation which the court, in its discretion, may deem adequate, hav-
25 ing due regard for the welfare of the person concerned, or the welfare of
26 others, or the welfare of the community. On any petition of discharge or varia-
27 tion, the court may discharge the feeble-minded person from all supervision,
28 control and care, or may place him under guardianship, or may transfer him
29 from a public institution to a private institution, or from a private institution
30 to a public institution, as the court thinks fit under all the circumstances ap-
31 pearing on the hearing of the petition. The superintendent of the institution
32 having the feeble-minded person in charge, must be notified of the time and
33 place of hearing on any petition for discharge or variation, as the court shall
34 direct, and no order of discharge or variation shall be entered without giving
35 such superintendent a reasonable opportunity to be heard; and the court may
36 notify such other persons, relatives and friends of the feeble-minded person as
37 the court may think proper of the time and place of the hearing on any petition
38 for discharge or variation of prior order. The denial of one petition for dis-
39 charge or variation shall be no bar to another on the same or different grounds
40 within a reasonable time thereafter, such reasonable time to be determined by
41 the court in its discretion, discouraging frequent, repeated, frivolous, ill-
42 founded petitions for discharge or variation of prior order. On reception of a
43 feeble-minded person in an institution pursuant to an order of court under this
44 Act, the superintendent of the institution under regulations of the Board of Ad-

45 ministration shall cause the feeble-minded person to be examined touching his
46 mental condition, and if upon such examination it is found the person is not
47 feeble-minded, it shall be the duty of the superintendent to petition the court for
48 a discharge or variation of the order sending him to the institution. Any person
49 sent to an institution pursuant to an order of court under this Act shall have the
50 right to at least one hearing on a petition for discharge or variation within
51 one year after the date of the order sending him to an institution.

Sec. 15. Every person admitted to any institution for the feeble-minded
2 shall have all reasonable opportunity and facility for communication with his
3 friends, and be permitted to write and send letters, providing they contain
4 nothing of an immoral or personally offensive character and letters written by
5 any charge to any member of the Board of Administration, or to any member
6 of the State Charities Commission, or to any State or county official, shall be
7 forwarded unopened. But no leave of absence shall be granted except for good
8 cause to be determined and approved by the Board of Administration in each
9 case who shall take appropriate measures to secure for the feeble-minded person
10 proper supervision, control and care during such leave of absence, and no leave
11 of absence shall be for a longer period than two weeks.

Sec. 16. In the event of a sudden or mysterious death of a charge of any
2 public or private institution for the feeble-minded, a coroner's inquest shall be
3 held as provided by law in other cases. Notice of the death of such person,
4 and the cause thereof, shall in all cases be sent to the judge of the court having
5 jurisdiction, over such person, and the fact of the death, with the time and place
6 alleged cause shall be entered upon the docket.

Sec. 17. Any person who shall knowingly contrive, or who shall conspire
2 to commit any person to an institution for the feeble-minded unlawfully and im-
3 properly, or any person who shall violate any provision of this Act, shall be
4 deemed guilty of a misdemeanor, and upon conviction thereof shall be fined

5 not exceeding \$1,000, or imprisoned not exceeding one year, or both, at the dis-
6 cretion of the court in which such conviction is had.

Sec. 18. The costs of proceedings in feeble-mindedness shall be defrayed
2 from the county treasurer, unless otherwise ordered by the court as herein pro-
3 vided. But when on the hearing of the petition, the person alleged to be feeble-
4 minded is found not to be feeble-minded, the court, in its discretion, may require
5 that the costs shall be paid by the person who filed the petition, and may render
6 judgment against him therefor, except that no judgment for costs shall be ren-
7 dered against the petitioner who filed the petition pursuant to the direction of
8 a court as provided in sections 4 and 5. The fees paid for attendance of wit-
9 nesses and execution of legal process, shall be the same as are allowed by law
10 for similar service in other cases. For service as commissioner, the sum of
11 \$5.00 per day and the actual and necessary traveling expenses shall be allowed,
12 to each person so employed. But when the proceedings are instituted in a court
13 of any county of which the alleged feeble-minded person is not a resident, in case
14 a judgment for costs is not rendered against the petitioner as above provided,
15 the judge of the county court of the county in which the said feeble-minded per-
16 son resides shall be furnished with a transcript of the record and findings in the
17 case, and thereupon the said county shall be liable for the costs of the proceed-
18 ings.

Sec. 19. Where an order that a feeble-minded person be placed under
2 guardianship, or be sent to a private or public institution, is made under this
3 Act, the court entering the order, or any court having jurisdiction under this
4 Act, may at any time, on the application of the petitioner, or of the guardian,
5 or of the managers of the institution or of the Board of Administration, as the
6 case may be, make an order requiring the feeble-minded person, or any person
7 liable or undertaking to maintain him, to contribute such sums towards the ex-
8 penses of his guardianship, or of his maintenance in the institution, and any
9 charges incidental thereto, including the costs of the proceedings in feeble-

10 mindedness, of his conveyance to the institution, and in the event of his death in
11 the institution his funeral expenses, as seems reasonable, having regard to the
12 ability of the feeble-minded person, or of the person liable or undertaking to
13 maintain him. Any such order may be enforced against any property of the
14 feeble-minded person, or of the person liable or undertaking to maintain him, in
15 the same way as if it were a judgment or decree for temporary alimony in a
16 divorce case. When a conservator of the estate of the feeble-minded person
17 under guardianship, or in an institution under this Act, has been, or is appointed
18 pursuant to "An Act to revise the law in relation to idiots, lunatics, drunkards,
19 and spend-thrifts," approved March 26, 1874, in force July 1, 1874, any such
20 order for contribution to maintenance may be made and enforced against such
21 conservator.

Sec. 20. When a child is brought before a "juvenile" court as a dependent
2 or delinquent child, if it appears to the court, on medical evidence, that such
3 person or child is feeble-minded within the meaning of this Act, the court may
4 adjourn the proceedings and direct some suitable officer of the court or other
5 suitable reputable person to file a petition under this Act; and the court may
6 order that pending the preparation, filing and hearing of such petitions, the per-
7 son or child be detained in a place of safety, or be placed under the guardianship
8 of some suitable person on that person entering into recognizance for his ap-
9 pearance.

Sec. 21. On the conviction by a court of record of competent jurisdiction
2 of any person of any crime, misdemeanor, or any violation of any ordinance
3 which is in whole, or in part, a violation of any statute of this State; or on a
4 child brought before a juvenile court for any delinquency, being found liable to
5 be sent to a reformatory school, a training school or an industrial school, the
6 court is satisfied on medical evidence the person or child is feeble-minded
7 within the meaning of this Act, may suspend sentence, or make an order sending
8 the child to a reformatory, training or industrial school, and direct that a peti-

tion be filed under this Act. When the court directs a petition to be filed it may order that pending the preparation, filing and hearing of the petition, the person or child be detained in a place of safety, or be placed under the guardianship of any suitable person on that person entering into a recognizance for his appearance. If upon the hearing of said petition or upon any subsequent hearing under this Act the person is found not to be feeble-minded the court shall impose sentence.

Sec. 22. When the mental condition of a person under guardianship or in an institution for feeble-minded persons, pursuant to an order of court under this Act, becomes or is found to be such that he ought to be transferred to an institution for lunatics, the guardian or managers of the institution, or the Board of Administration, as the case may be, shall cause such steps to be taken as may be necessary for his removal to an institution for lunatics under "An Act to revise the law in relation to the commitment and detention of lunatics, and to provide for the appointment and removal of conservators, and to repeal certain Acts therein named," approved January 21, 1893, in force July 1, 1893. And when the mental condition of a person in an institution for lunatics under such lunacy act of 1893 becomes, or is found to be such that he ought to be transferred to an institution for feeble-minded persons, or placed under guardianship under this Act, the managers of the institution for lunatics, or the Board of Administration may cause such steps to be taken as may be necessary for having an order that he be sent to an institution for feeble-minded persons, or placed under guardianship under this Act.

Sec. 23. No person shall be discharged from a public institution for the feeble-minded without suitable clothing and a sum of money not exceeding \$20, sufficient to defray his expenses home, which shall be charged to the county in which the person resides, and collected as other debts due the institution are collected. But the court ordering the discharge may dispense with this requirement if the court, in its discretion, thinks it fit and proper under the circumstances.

Sec. 24. If any feeble-minded person shall escape from an institution for the
2 feeble-minded, it shall be the duty of the superintendent of the institution and his
3 assistants, and of any sheriff or constable, or other officer of the peace in any
4 county in which he may be found, to take and detain him without a warrant, and
5 report the same at once to the county judge of said county, who shall return
6 him to the institution at the expense of the county from which he was admitted.

Sec. 25. Each court having jurisdiction under this Act shall keep a separate
2 docket of proceedings in feeble-mindedness upon which shall be made such en-
3 tries as will, together with the papers filed, preserve a complete and perfect
4 record of each case, the original petitions, writs, and returns made thereto, and
5 the reports of commissions shall be filed with the clerk of the court.

Sec. 26. The Board of Administration shall keep a record of all persons
2 adjudged to be feeble-minded, and of the orders respecting them by the courts
3 throughout the State, copies of which orders shall be furnished by the clerk of
4 the court without the board's application or upon the board's application.

Sec. 27. The invalidity of any part of this Act shall not be construed to
2 affect the validity of any other part capable of having practical operation and
3 effect without the invalid part.

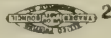
Sec. 28. All Acts and parts of Acts inconsistent with this Act are hereby
2 repealed.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 655

1915



1 Adopted May 21, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 655 by striking out sections three, four, five, six, seven,
2 eight and nine of the printed bill and substitute in lieu thereof the following sec-
3 tions, three, four, five, six, seven, eight and nine:

Sec. 3. When any person residing in this State shall be supposed to be
2 feeble-minded, and by reason of such mental condition of feeble-mindedness,
3 and of social conditions, such as want of proper supervision, control, care and
4 support, or other causes, it is unsafe and dangerous to the welfare of the com-
5 munity for him to be at large without supervision, control and care, any rela-
6 tive, guardian or conservator or any reputable citizen of the county in which such
7 supposed feeble-minded person resides or is found, may, by leave of court first
8 had and obtained, file with the clerk of either the circuit court, or of the county
9 court of the county in which such supposed feeble-minded person resides or is
10 found, or with the clerk of a city court, including the municipal court of Chicago,
11 when the supposed feeble-minded person resides or is found in the city, a peti-
12 tion in writing, setting forth that the person therein named is feeble-minded, the
13 fact and circumstances of the social conditions, such as want of proper super-
14 vision, control, care and support, or other causes, making it unsafe or dangerous
15 to the welfare of the community for such person to be at large without super-
16 vision, control or care; also the name and residence, or that such name or resi-
17 dence is unknown to the petitioner, of some person, if any there be, actually

18 supervising, caring for or supporting such person, and of at least one person
19 if any there be legally chargeable with such supervision, care or support, and
20 also the names and residences or that same are unknown of the parents or
21 guardians.

22 The petition shall also allege whether or not such person has been exam-
23 ined by a qualified physician having personal knowledge of the condition of such
24 alleged feeble-minded person. There shall be indorsed on such petition the
25 names and residences of witnesses known to petitioner by whom the truth of the
26 allegations of the petition may be proved, as well as the name and the residence
27 of a qualified physician, if any is known to the petitioner, having personal
28 knowledge of the case. All persons named in such petition shall be made defend-
29 ants by name and shall be notified of such proceedings by summons, if residents
30 of this State, in the same manner as is now or may hereafter be required by
31 law in proceedings in chancery in this State, except only as herein otherwise
32 provided. All persons whose names are stated in the petition to be unknown to
33 the petitioner shall be deemed and taken as defendants by the name and desig-
34 nation of "all whom it may concern." The petition shall be verified by affidavit,
35 which shall be sufficient if it states that it is based upon information and belief.
36 Process shall be issued against all persons made parties by the designation of
37 "all whom it may concern," by such description and notice given by publica-
38 tion as required in this Act, shall be sufficient to authorize the court to hear and
39 determine the suit as though the parties had been sued by their proper names.

Sec. 4. The summons shall require all defendants to personally appear at
2 the time and place stated therein, and to bring into court the alleged feeble-
3 minded person. No written answer shall be required to the petition, but the
4 cause shall stand for trial upon the petition on the return day of the summons.
5 The summons shall be made returnable at any time within twenty days after
6 the date thereof, and may be served the same as summons in chancery is
7 served by any officer authorized by law to serve processes of the court issuing
8 such summons. No service of process shall be necessary upon any of the de-

9 defendants named, if they appear or are brought before the court personally with-
 10 out service of summons.

11 Whenever it shall appear from the petition or from affidavit filed in the
 12 cause that any named defendant, other than the alleged feeble-minded person,
 13 resides or hath gone out of the State, or on due inquiry cannot be found, or is
 14 concealed within this State, or that his place of residence is unknown, so that
 15 process cannot be served upon him, and whenever any person is made a de-
 16 fendant under the name and designation of "all whom it may concern," the
 17 clerk of the court shall cause publication to be made once in some newspaper of
 18 general circulation published in his county, and if there be none published in
 19 his county, then in a newspaper of general circulation published in the nearest
 20 place to his county in this State, which publication shall be substantially as fol-
 21 lows:

22 (Give names of such defendants and) To all whom it may concern (if there
 23 be any defendant under such designation):

24 TAKE NOTICE That on theday of....., A. D.
 25, a petition was filed by..... in the.....
 26 court of to have a certain person named.....
 27 declared feeble-minded and to have the court provide for the care and the de-
 28 tention of such person.

29 Now, unless you appear within twenty days after the date of this notice
 30 and resist the granting of the prayer of such petition, the petition will be
 31 taken for confessed and a decree entered.

32
 33 Clerk.

34 Dated.....
 35 and the clerk shall also within ten days after the publication of such notice
 36 send a copy thereof by mail, addressed to such defendants whose place of resi-
 37 dence is stated in the petition and who can not be served with summons. Notice
 38 given by such publication shall be as effectual for every purpose as if such

39 person or persons were duly served with summons personally. The certificate
40 of the clerk that he has sent such notice pursuant to this section shall be con-
41 clusive evidence thereof. Every defendant who shall be duly summoned shall
42 be held to appear and answer either in writing or orally in open court, on the
43 return day of the summons, and if the summons be served less than one day
44 prior to the return day thereof, then on the following day. Every defendant
45 who shall be notified by publication, as herein provided, shall be held to appear
46 and answer, either in writing or orally, within twenty days after the date of the
47 publication notice. The answer shall have no greater weight as evidence than
48 the petition.

49 In default of an answer at the time herein specified or at such further time
50 as by order of court may be granted to the defendant, the petition may be taken
51 as confessed against all defendants, except the alleged feeble-minded persons.

Sec. 5. Upon the filing of the petition, or upon motion at any time there-
2 after, if it shall be made to appear to the court by evidence given under oath
3 that it is for the best interests of the alleged feeble-minded person and the
4 community that such person be at once taken into custody, or that the service
5 of summons will be ineffectual to secure the presence of such person, a war-
6 rant may issue on the order of the court, directing that such person be taken into
7 custody and brought before the court forthwith or at such time and place the
8 judge may appoint, and pending the hearing of the petition, the court may make
9 any order for the detention of such feeble-minded person, or the placing of such
10 feeble-minded person under temporary guardianship of some suitable person,
11 on such person entering into a recognizance for his appearance, as the court
12 shall deem proper. But no such alleged feeble-minded person shall, during the
13 pendency of the hearing of the petition, be detained in any place provided for
14 the detention of persons charged with or convicted of any criminal or quasi
15 criminal offense.

Sec. 6. At any time after the filing of the petition and pending the final disposition of the case, the court may continue the hearing from time to time, and may order such alleged feeble-minded person to submit to the examination of some qualified physician or psychologist, and the court may also require by rule or order that the petitioner answer under oath such interrogatories as may be propounded, in a form to be prescribed by the Board of Administration.

Sec. 7. The hearing on the petition shall be by the court and a commission to be appointed by the court, of two qualified physicians or one qualified physician and one qualified psychologist, residents of the county, to be selected by the judge on account of their known competency and integrity, and evidence shall be heard and proceedings had as in any other civil proceedings.

Evidence shall also be heard and inquiry made into the social conditions, such as want of proper supervision, control, care or support, and other causes making it unsafe or dangerous to the welfare of the community for such person to be at large, without supervision, control and care. The commission shall also make a personal examination touching the mental condition of the alleged feeble-minded person. Upon the conclusion of the hearing, inquiry and examination, the commission shall file with the clerk of the court a report in writing, showing the result of their examination of the mental condition and social conditions aforesaid, setting forth their conclusions and recommendations, and shall also file with such report their sworn answers to such interrogatories as may be propounded in a form to be prescribed by the Board of Administration. Such answers may be based upon their best knowledge and belief.

Sec. 8. The report shall have the same effect as reports of masters in chancery, and shall be subject to be set aside or overruled by the court the same as reports of masters in chancery: *Provided, however,* that there shall be no need of making objections and taking exceptions to same, and the court shall have the power to dismiss the proceedings, order a new hearing by the same or a new

6 commission, or make such findings of fact in lieu of the findings in such report
 7 as may be justified by the evidence heard, and on the review by the court of the
 8 findings and recommendations of the commission, the court may hear such fur-
 9 ther evidence as it thinks fit.

Sec. 9. If the court shall find such alleged feeble-minded person not to be
 2 feeble-minded as defined in this Act, he shall order the petition dismissed and
 3 the person discharged. If the court shall find such alleged feeble-minded person
 4 to be feeble-minded, and subject to be dealt with under this Act, having due
 5 regard to all the circumstances appearing on the hearing, the guiding and con-
 6 trolling thought of the court throughout the proceedings to be the welfare of
 7 the feeble-minded person and the welfare of the community, it shall enter a de-
 8 cree, appointing a suitable person to be the guardian of the person of such feeble-
 9 minded person, or directing that such feeble-minded person be sent to a private
 10 institution qualified and licensed under the laws of the State to receive such
 11 person whose managers are willing to receive him, or may direct that he be
 12 placed in a public institution for the feeble-minded and such decree so entered
 13 shall stand and continue binding upon all persons whom it may concern until
 14 rescinded or otherwise regularly superseded or set aside.

15 *Provided, however,* that any guardian appointed under this Act shall be sub-
 16 ordinate to any guardian or conservator previously or subsequently appointed,
 17 pursuant to "An Act to revise the law in relation to idiots, lunatics, drunkards
 18 and spendthrifts," approved March 26, 1874, and in force July 1, 1874, or "An
 19 Act in regard to guardians and wards," approved April 10, 1872, in force July
 20 1, 1872.

AMENDMENT NO. 2.

Amend House Bill No. 655 by striking out the word "person" in line 8, sec-
 2 tion 13 of the printed bill and substitute in lieu thereof the word "female."

AMENDMENT NO. 3.

Amend House Bill No. 655 by striking out the word "discharged" in lines
2 15 and 16, section 14 of the printed bill, and substitute in lieu thereof the word
3 "discharges."

AMENDMENT NO. 4.

Amend House Bill No. 655 by striking out the "period" at the end of line
2 11, section 15 of the printed bill, and substituting in lieu thereof the words,
3 "in one calendar year."

AMENDMENT NO. 5.

Amend House Bill No. 655 by changing the order of the last two words,
2 "and place," in line 5, section 16 of the printed bill, and substitute in lieu there-
3 of the words, "place and."

AMENDMENT NO. 6.

Amend House Bill No. 655 by striking out the words, "commit any person
2 to an institution for feeble-minded" in line 2, section 17 of the printed bill, and
3 substitute in lieu thereof the words, "have any person adjudged feeble-minded
4 under this Act."

AMENDMENT NO. 7.

Amend House Bill No. 655 by striking out the word "treasurer" in line 2,
2 section 18, of the printed bill, and substitute in lieu thereof the word "treasury."

AMENDMENT NO. 8.

Amend House Bill No. 655 by striking out numerals "4" and "5," in line 8,
2 section 18 of the printed bill, and substitute in lieu thereof the numerals, "20"
3 and "21."

AMENDMENT NO. 9.

Amend House Bill No. 655 by striking out the "period" at the end of section
 2 19 of the printed bill and substitute in lieu thereof, "only by the court that ap-
 3 pointed such conservator and in the mode and manner prescribed by said last
 4 named act."

AMENDMENT NO. 10.

Amend House Bill No. 655 by striking out the words "on medical evidence,"
 2 in line 2, section 20, of the printed bill, and substitute in lieu thereof the words,
 3 "on the testimony of a physician or a psychologist or other evidence."

AMENDMENT NO. 11.

Amend House Bill No. 655 by striking out the word "is" in line 6, section
 2 21, of the printed bill, and substitute in lieu thereof the word "if."

AMENDMENT NO. 12.

Amend House Bill No. 655 by striking out the words "on medical evidence,"
 2 in line 6, section 21, of the printed bill, and substitute in lieu thereof the words,
 3 "on the testimony of a physician or a psychologist or other evidence that."

AMENDMENT NO. 13.

Amend House Bill No. 655 by striking out the word "make" in line 7, sec-
 2 tion 21, of the printed bill, and substitute in lieu thereof the words, "suspend
 3 entering."

AMENDMENT NO. 14.

Amend House Bill No. 655, in line 15, after the word "institution," section
 2 22 of the printed bill, inserting the words, "entered by the court of original
 3 jurisdiction."



- 1 Introduced by Mr. Jacobson, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to create a lien upon real estate scheduled by sureties on certain bonds to the People of the State of Illinois or any county, city, town or political subdivision thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois*
2 *represented in the General Assembly:* That all persons, other than such as may
3 be regularly licensed by the Insurance Department of this State to transact the
4 business of suretyship, who shall become surety, in an amount exceeding one
5 thousand (\$1,000) dollars, in any bond to the People of the State of Illinois, or
6 any county, city, town or political subdivision thereof, shall when executing such
7 bond make sworn written statements of all real estate owned by such person
8 or persons with the legal descriptions thereof and encumbrances, if any, there-
9 on, upon which such person or persons shall base their right to qualify for
10 such suretyship, and the judge, clerk of the court, board, commission, officer,
11 or person whose duty it shall be to approve such bond, when approving the
12 same shall approve also such sworn written statements which shall thereupon be
13 filed with the proper officer charged by law with the custody of such bond. Such

14 real estate may thereafter be made and become subject to a lien for the amount
 15 of such bond in favor the obligee or obligees therein upon the filing with the
 16 recorder of deeds of the county in which such real estate may be situated, of a
 17 certificate under the hand and seal of such custodian of such bond, which cer-
 18 tificate shall be substantially in the following form:

19 To the Recorder of Deeds of County, Illinois:

20 I (name of custodian) hereby certify that (name of surety), surety in the
 21 certain bond in the sum of (amount of bond) bearing date the day
 22 of, 19...., of (name of principal obligor), in favor of (name of
 23 obligee) has scheduled the following described real estate in said county in con-
 24 nection with said bond: (Legal description of real estate).

25 In witness whereof, I have hereunto set my hand and affixed my official
 26 seal thisday of, A. D. 19....

27SEAL

28 (Title of Certifying Officer.)

Sec. 2. The lien upon such real estate thus created in the manner as pro-
 2 vided by section one of this Act shall be and remain in full force and effect upon
 3 all the real estate of such obligor and such sureties until the purpose for which
 4 such bond was given and executed shall have been fully fulfilled and performed
 5 and the obligation of such bond has been fully discharged, whereupon it then
 6 shall be the duty of the custodian of such bond upon the demand of the obligor
 7 or such sureties to execute to such obligor or such sureties a release and dis-
 8 charge of such lien, which release and discharge shall be in the words and fig-
 9 ures substantially as follows:

10 To the Recorder of Deeds of County, Illinois:

11 This is to certify that the obligation of a certain bond executed on the
 12 day of, A. D. 19...., by (name of principal obligor)
 13 and (name of sureties) in favor of (name of obligee) in the sum of (amount of
 14 bond) and scheduling certain real estate described as follows: legal descrip-

tion of real estate scheduled on such bond) has been fully fulfilled and performed
and the obligation discharged and the lien created thereby upon said described
real estate is hereby fully released and discharged of record.

In witness whereof, I have hereunto affixed my hand and official seal this
..... day of, A. D. 19....

.....SEAL

(Title of Certifying Officer.)

Sec. 3. It shall be the duty of the recorder of deeds upon the filing of the
same with him to spread such certificate of record and thereupon such lien shall
be fully released and discharged of record.

Sec. 4. Any officer having the custody of such bonds who shall knowingly
and willfully execute and deliver such a release and discharge as provided for
in section two of this Act before the purpose for which such bond was given has
been performed and fulfilled and the obligation thereof fully and rightfully dis-
charged, shall be deemed guilty of a felony and upon conviction thereof shall
be confined in the penitentiary not less than one year and not more than five
years.



- 1 Introduced by Mr. Madsen, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act concerning jurors and to repeal certain Acts herein named," approved and in force February 11, 1874, as amended by subsequent Acts by amending sections one (1), two (2), five (5), six (6), seven (7), nine (9), twelve (12), and thirteen (13) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act concerning jurors and to repeal certain Acts herein named," approved and in force February 11, 1874, as amended by subsequent Acts, be and the same is hereby amended by amending sections one (1), two (2), five (5), six (6), seven (7), nine (9), twelve (12), and thirteen (13) thereof so that the said sections when amended shall read as inserted at length herein.

8 Sec. 1. The county board of each county *in this State, containing a population of not more than two hundred and fifty thousand (250,000),* shall at or before the time of its meeting, in September, in each year, or at any time thereafter, when necessary for the purposes of this Act, make a list of a sufficient

12 number, not less than one-tenth of the legal voters of the county, giving the
 13 place of residence of each name on the list, to be known as the jury list. The
 14 said county board shall prepare this said list in the following and in no other
 15 manner:

16 *They shall write the names and place of residence of all the persons who are*
 17 *shown by the public records to have voted in the county at the last general elec-*
 18 *tion held therein, on separate pieces of paper, one name on each piece and each in*
 19 *the same manner as nearly as may be. They shall fold the same so that the name*
 20 *written thereon shall not be visible, and (then) shall deposit such pieces of*
 21 *paper in a box to be known as the large jury box, containing but one compart-*
 22 *ment. Said box shall then be closed and be thoroughly shaken, and turned com-*
 23 *pletely over and around not less than ten times, before being opened again. The*
 24 *names of the necessary number shall be drawn from such box, one by one, in*
 25 *the presence of the county board and one of the circuit court judges of the*
 26 *State by a person who shall be blind-folded and who has been theretofore select-*
 27 *ed for such purpose by said judge.*

28 *The electors as aforesaid first so drawn up to the number required at the*
 29 *time shall constitute and be the said jury list at that time required to be made and*
 30 *furnished by the said county board: Provided, that if any name so drawn shall*
 31 *be that of a person who, to the knowledge of any of the members of said county*
 32 *board is disqualified under the statutes of this State, such name may be sum-*
 33 *marily rejected and another name drawn in the place of it in the same manner*
 34 *above specified for the drawing by lot.*

Sec. 2. *In counties having a population of more than two hundred and fifty*
 2 *thousand (250,000) the persons to serve as jurors shall be selected by the jury*
 3 *commissioners as provided by law: Provided, that the persons selected to serve*
 4 *as jurors in courts of record having jurisdiction only in and for cities shall be*
 5 *selected from the body of the county in the same manner as jurors are selected*
 6 *for the circuit court. Jurors in all counties in Illinois must have the legal quali-*
 7 *fications herein prescribed:*

8 First: *They must be inhabitants of the county not exempt from serving on*
9 *juries.*

10 Second: *Of age of twenty-one (21) years, or upwards, and under sixty-five*
11 *(65) years old.*

12 Third: *In the possession of their natural faculties, and not infirm or de-*
13 *crepit.*

14 Fourth: *Free from all legal exceptions, of fair character of approved in-*
15 *tegrity, of sound judgment, well informed, and who understand the English*
16 *language.*

Sec. 5. *Should any person upon further investigation by the said county*
2 *board be found to be disqualified under section two (2) of this Act his name*
3 *may be stricken from the said jury list: Provided, that a record be kept of all*
4 *persons found to be disqualified for jury service and any person who has been*
5 *declared to be disqualified may appeal from such decision by the said county*
6 *board to any one of the circuit court judges, and such appeal and such pro-*
7 *ceedings shall be had summarily without any pleadings and the judges decision*
8 *shall be final.*

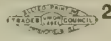
Sec. 6. *As often as may be necessary for the purposes of this Act a new*
2 *list shall be furnished as provided in section one (1) of this Act and no name of*
3 *any person drawn for jury service shall be returned to either jury box except*
4 *in the regular order as provided in section one (1).*

Sec. 7. *The said jury list shall be kept in the office of the county clerk and*
2 *the name of each and every person upon said list with the place of residence*
3 *shall be written each on a separate piece of paper, each in the same manner as*
4 *near as may be, and said names shall be put in a box containing but one compart-*
5 *ment to be known as the small jury box, and the names of all persons required*
6 *for jury service shall be drawn from the said small jury box as provided in sec-*
7 *tions eight (8) and nine (9) of this Act.*

Sec. 9. *If a grand jury shall be required by law or by the order of the judge*
2 *for any term of court, said grand jury shall be drawn from the same box as petit*
3 *jurors and in the same manner as provided in section eight (8) of this Act. The*
4 *names of twenty-three (23) persons shall be drawn from said box and the clerk*
5 *of court shall within five days after such drawing deliver to the sheriff of the*
6 *county wherein the court is to be held, at least ten (10) days before the term of*
7 *court for which they shall have been selected, or during term time if the court*
8 *shall so order, a summons commanding him to summon the persons so selected as*
9 *aforesaid, to appear before such court before the hour of eleven o'clock A. M.*
10 *on the first day of the term or upon such other day as the judge shall direct, to*
11 *constitute a grand jury for such term. The sheriff shall serve such summons in*
12 *the manner provided in section eleven (11) of this Act, for service of summons*
13 *on petit jurors, and for any refusal or neglect so to do, shall be deemed guilty of*
14 *a contempt of court, and may be fined as provided in section eleven (11) of this*
15 *Act, for default in summoning petit jurors. If for any reason the panel of*
16 *grand jurors shall not be full at the opening of such court the judge shall direct*
17 *additional names to be drawn as provided in this section and such persons whose*
18 *names shall be so drawn shall be summoned as early as may be.*

Sec. 12. The judge shall examine the jurors who appear, and if more than
2 twenty-four (24) petit jurors who are qualified and not subject to any exemp-
3 tion, or any of the disqualifications provided in this Act, shall appear and re-
4 main after all excuses are allowed, the court shall discharge by lot the number
5 in excess of twenty-four (24). If for any reason the panel of petit jurors shall
6 not be full at the opening of court, or at any time during the term, the clerk of
7 such court may again repair to the office of the county clerk and draw in the same
8 manner as at the first drawing, such number of jurors as the court shall direct,
9 to fill such panel, who shall be summoned in the same manner as the other, and,
10 if necessary, jurors may continue to be so drawn and summoned from time to
11 time until the panel shall be filled.

Sec. 13. When by reason of challenge in the selection for the trial of any
2 cause, or by reason of the sudden sickness or absence of any juror for any cause,
3 the regular panel shall be exhausted, *the court may direct the clerk of such court*
4 *to draw additional names as provided in this Act. Such person or persons whose*
5 *names have been so drawn shall be summoned either by telephone or otherwise*
6 *to appear forthwith, but in no case shall a person be summoned to appear and*
7 *serve as a juror unless his name shall first have been drawn as provided in this*
8 *Act.*



- 1 Introduced by Mr. Merritt, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to provide by State tax for a fund for the support and maintenance of the University of Illinois," approved June 10, 1911, in force July 1, 1911, by amending section one (1) thereof, and also by amending the title thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide by State tax for a fund for the support and maintenance of the University of Illinois," approved June 10, 1911, in force July 1, 1911, be ~~and~~ the same is hereby amended by amending section one (1) thereof and also ~~by~~ amending the title thereto so that the said section and title when amended shall read as inserted at length herein.

Sec. 1. There shall be levied and collected annually at the same time and in the same manner that State taxes are collected, a one mill tax for each dollar of the assessed valuation of the taxable property of this State to be paid into the treasury of the State and set apart as a fund for the use and main-

12 tenance of the University of Illinois, *and for such other educational uses and*
13 *purposes, including salaries, pensions, and allowances to teachers, professors, and*
14 *school officers as the General Assembly may direct.*

Sec. 2. The title of this Act is hereby amended to read as follows:

2 “An Act to provide by State tax for a fund for the support and main-
3 tenance of the University of Illinois, *and such other uses and purposes as the*
4 *General Assembly may direct.*”

- 1 Introduced by Mr. Morrasy, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act to amend an Act entitled, "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912, by adding thereto a new section to be known as section ten-a (10-a).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, "An Act to revise the laws relating to charities," approved June 11, 1912, in force July 1, 1912, be and the same is hereby amended by adding thereto a new section to be known as section ten-a (10-a), which said section shall read as follows:*

6 Sec. 10a (a) *It is hereby made the duty of the Board of Administration*
7 *of State charitable institutions to provide for scientific medical and surgical*
8 *treatment of the Illinois State institution inmates afflicted with diseases of the*
9 *eye, ear, nose and throat by specialists, duly licensed by the State Board of Health*
10 *to practice medicine and surgery in Illinois. These specialists shall be men or*
11 *women skilled by at least five years' experience in the practice of their profes-*

sion. The titles of these specialists shall be State Laryncologist and Assistant State Laryncologists. They shall be appointed and subject to removal by the Board of Administration of State charitable institutions in like manner as the superintendents or managing officers of said institutions are now appointed and removed, and shall not be included in the classified civil service of the State. Their compensation shall be fixed by the Board of Administration and shall be paid out of moneys appropriated to the State Board of Administration.

(b) The specialists and assistants appointed as herein provided shall be allowed, in addition to their compensation, their actual traveling expenses, to be paid on bills approved by the Board of Administration, out of any funds which may be appropriated by the General Assembly for that purpose.

(c) Medical and surgical equipment and supplies shall be provided by the Board of Administration, and bills covering same shall be paid out of any funds which may be appropriated by the General Assembly for that purpose.

(d) The Board of Administration shall adopt rules and regulations prescribing the general duties of the specialists and their assistants named in this Act.

(e) All State institutions under the jurisdiction of the Board of Administration shall co-operate with the said specialists and their assistants in such manner as the Board of Administration may from time to time direct.

(f) All surgical operations to be performed by said specialists shall be determined by them, but before such operations are undertaken they must be approved by the superintendent or managing officer of the institution caring for the inmate. Before such operations are performed on minors, consent of parents or guardians must first be obtained in writing. Before performing operations on insane or feeble-minded, written consent must be obtained from the nearest relative, or in case there is no relative, from the conservator.

(g) If it be the judgment of the Governor of the State of Illinois that the scientific medical and surgical treatment provided for in this Act should be extended to inmates of State institutions not under the jurisdiction of the Board of

42 Administration, he is hereby given power to extend this treatment to other State
43 institutions. Before any extension in treatment is made to other institutions not
44 under the control of the Board of Administration, the Governor shall issue a
45 proclamation declaring that the extension has been made. No additional com-
46 pensation shall be allowed to specialists and their assistants on account of the
47 extension provided for in this section.

48 (h) It shall be the duty of the specialists appointed or employed under
49 the provisions of this Act to perform any duties assigned them in connection with
50 any propaganda work assigned them by the State Board of Administration in
51 co-operation with the State and local boards of health for the benefit of the
52 public or persons not in State institutions.



- 1 Introduced by Mr. Morrasy, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act for the creation and appointment of a State Board of Examiners of stationary and traction engineers, prescribing their duties and fixing their compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there shall be appointed by the Gov-
3 ernor, by and with the advice and consent of the Senate, a State Board of Ex-
4 aminers of stationary and traction engineers, consisting of three (3) practical
5 engineers, who shall be competent judges of the construction of steam boilers
6 and engines, and experienced in their operation, whose duty it shall be to ex-
7 amine applicants for licenses as engineers and boiler or water tenders in ac-
8 cordance with the rules and regulations of this Act, and to issue, to such appli-
9 cants as are found qualified, certificates of qualification. Each certificate so
10 issued by them shall expire one (1) year from the date of issue.

Sec. 2. The chairman of the State Board of Examiners of stationary and
2 traction engineers, who shall be designated by the Governor shall receive a salary
3 of three thousand (\$3,000) dollars per annum and each of the other members

4 of the board shall receive a salary of two thousand five hundred (\$2,500) dol-
5 lars per annum. The secretary to be appointed by the board shall receive a
6 salary of one thousand eight hundred (\$1,800) dollars per annum.

7 Within thirty (30) days after the taking effect of this Act the Governor
8 shall appoint said board, one member to serve for two (2) years, one for four
9 (4) years and one for six (6) years. At the expiration of the term of the mem-
10 bers so appointed the Governor by and with the advice and consent of the Senate
11 shall appoint their successors for a term of six (6) years.

Sec. 3. Said board of examiners shall be provided with suitable quarters by
2 the Secretary of State. Said board shall make and enforce such rules and regu-
3 lations for its government and that of its empolyees as may be deemed proper
4 and desirable, not inconsistent with the provisions of this Act. Said board, or a
5 majority thereof, shall hold daily sessions, of such duration as may be deemed
6 requisite, between the hours of nine o'clock a. m. and ten o'clock p. m., for the
7 purpose of examining and determining the qualifications of the applicants for
8 licenses as engineers or as boiler or water tenders as provided herein.

Sec. 4. The Board of Examiners, or a majority thereof, shall have power
2 to examine into the qualifications of applicants, grant licenses, and, for cause,
3 suspend or revoke the same. Every application for a license shall be made on
4 the printed blanks furnished by the Board of Examiners, and shall set forth the
5 name, age and citizenship of the applicant, and the extent of his experience. An
6 application for an engineer's license shall be accompanied by a fee of two (2)
7 dollars and that for a boiler or water tender's license shall be accompanied by a
8 fee of one dollar.

Sec. 5. An applicant for an engineer's license shall be a machinist or engi-
2 neer, having at least two (2) years' practice in the management, operation or con-
3 struction of steam engines and boilers. An applicant for a boiler tender's license
4 shall be a person who has a thorough knowledge of the construction, manage-
5 ment and operation of steam boilers. Each engineer and boiler or water tender so

6 to be licensed shall be at least twenty-one (21) years of age, shall be of temperate
7 habits and good character, all of which shall be vouched for in writing by at
8 least two (2) citizens of Illinois, and shall be verified under oath by the applicant
9 when required by the Board of Examiners.

Sec. 6. The Board of Exanimers shall have power to suspend the license
2 of an engineer or of a boiler or water tender for permitting water to get too low
3 in the boiler; for carrying a higher pressure of steam than allowed by law; for
4 an absence from his post of duty; or for any violation of any of the provisions
5 of this Act, or other neglect or incapacity: *Provided, however,* that no license
6 shall be suspended or revoked without first giving the accused person an oppor-
7 tunity to be heard in his own defense. When the license of an engineer or boiler
8 or water tender shall be revoked for the first offense, no license shall be issued
9 to him for thirty (30) days thereafter; for the second offense, for ninety (90)
10 days; for any offense thereafter his license shall be permanently revoked.

Sec. 7. Every certificate of license issued to an engineer or boiler or water
2 tender shall be signed by the majority of the Board of Examiners, and sealed
3 with an imprint of the board's seal and attested by the secretary of the Board of
4 Examiners.

Sec. 8. The Board of Examiners shall cause to be kept a full and correct
2 detailed record of its official proceedings, including the names of the members
3 of the board, the names, ages and residences of all applicants for licenses, the
4 number issued and rejected, the number of licenses suspended, renewed or re-
5 voked, the cause therefor, and the names of the persons forfeiting licenses.

Sec. 9. If a member of the Board of Examiners, or any person or employee
2 connected therewith, shall at any time, or under any pretense whatever, him-
3 self or through any other person or persons, receive or cause to be received, any
4 money, gift or other valuable thing or consideration, for the purpose of official-
5 ly favoring any applicant, or for the purpose of deceiving or defrauding any
6 person, or shall issue a license authorizing any person to act as engineer or

7 boiler or water tender without first having examined and found him qualified
8 for such service, in accordance with the provisions and conditions of this Act,
9 then, in such case, the member or members of the board or other person so of-
10 fending shall be removed from office by the Governor, and ever after be de-
11 barred from holding any position, official or otherwise in the service of the State,
12 and any applicant who shall himself, or through any other person, offer, or
13 cause to be offered, any money or other valuable consideration to said board, or
14 any member thereof, or any person connected therewith, for any official act or
15 favor, shall ever after be debarred from receiving any license under this Act.

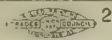
Sec. 10. No steam engine or boiler subject to the provisions of this Act shall
2 be used, managed or operated in the State, except by an engineer or boiler or
3 water tender as provided herein, and who shall have been duly licensed as
4 provided herein, and who shall have and exhibit a certificate thereof. Any per-
5 son who shall take charge of or manage or operate any steam engine or boiler,
6 or any portion of a steam plant in the State, without a proper and valid license,
7 as provided by this Act, shall for each offense be fined not less than twenty
8 (\$20.00) dollars nor more than fifty (\$50.00) dollars, and any person or corpora-
9 tion owning or controlling any steam engine, boiler or other steam plant, who
10 shall authorize or permit any person without a proper and valid license, as re-
11 quired herein, to take charge of, manage or operate any steam engine or boiler or
12 any portion of a steam plant, shall for each offense be fined not less than fifty
13 (\$50.00) dollars nor more than two hundred (\$200.00) dollars, and each
14 day's violation of any of the provisions of this Act shall constitute a separate
15 offense.

Sec. 11. It shall be the duty of the board of examiners to see that each
2 boiler plant in the State shall have a licensed engineer, or boiler or water ten-
3 der, or both, as provided herein, in charge at all times when working under
4 pressure, whose certificate of qualification shall be displayed in a conspicuous
5 place in the engine or boiler room, and each engineer or boiler or water tender

6 shall devote his entire time, while boilers are working under pressure, to the
7 duties of the plant under his charge. Any person who has charge of a steam
8 boiler, whose duty it is to keep up the water in such boiler, shall be deemed a
9 boiler or water tender, within the meaning of this Act, but the provisions here-
10 of for the examination, licensing and regulation of boiler or water tenders shall
11 apply only to boiler or water tenders who are in charge of a steam boiler or
12 boilers which are detached from the engine room, or so far removed therefrom
13 or otherwise circumstanced or located as to render it difficult for the engineer
14 in charge of the plant to give such boiler or boilers his personal attention and
15 supervision.

Sec. 12. Engineers in charge of locomotives and engineers or boiler or
2 water tenders in charge of boilers carrying not more than ten (10) pounds pres-
3 sure of steam per square inch shall be exempt from the provisions of this Act.

Sec. 13. The Board of Examiners shall each month pay over to the State
2 Treasurer all fees, charges, moneys, or valuable consideration of any kind what-
3 soever paid to or collected or received by said Board of Examiners of stationery
4 and traction engineers by reason of or for or on account of the performance
5 of any of the duties required to be performed by said board; and each payment
6 shall be accompanied by a report in writing directed to the Auditor of Public
7 Accounts and verified by affidavit of the president or secretary of said board,
8 showing in detail all fees, charges, moneys or valuable consideration of any
9 kind paid to or collected or received by said board during the month preced-
10 ing the day of such report; and such report shall contain such other and further
11 information as the Auditor of Public Accounts may require.



- 1 Introduced by Mr. Morrasy, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the construction, reparation and protection of drains ditches and levees across the lands of others for agricultural, sanitary and mining purposes and to provide for the organization of drainage districts," approved and in force May 29, 1879, as subsequently amended, by adding thereto a new section to be known as section 8a.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to provide
3 for the construction, reparation and protection of drains, ditches and levees
4 across the lands of others for agricultural, sanitary and mining purposes and to
5 provide for the organization of drainage districts," approved and in force May
6 29, 1879, as subsequently amended, be and the same is hereby amended by add-
7 ing thereto a new section to be known as section 8a, which said section shall read
8 as follows:

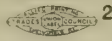
Sec. 8a. *The county surveyor shall be ex-officio county drainage engineer*
2 *and shall be ex-officio engineer of all drainage districts in his county and shall*
3 *have general supervision of all drainage affecting more than one land owner*

4 within the county. His salary or compensation as such engineer shall be fixed
5 by the county board or board of supervisors as the case may be in addition to his
6 salary or compensation as county supervisor.

7 It shall be the duty of the county drainage engineer to attend all meetings of
8 drainage commissioners' in his county and advise as to the best methods to be
9 pursued in drainage matters before the commission, shall make all surveys, plats
10 and plans for such drainage commission.

11 Any land owner in territory outside any organized drainage district may
12 make application to the county drainage engineer stating the course of such
13 drainage and such facts as will advise him of the service required, whereupon
14 the said county engineer shall view the premises, ascertain the area to be drain-
15 ed and determine the size, course and other details of such drainage and notify
16 the owners of all lands interested therein of such facts. If the engineer shall
17 think advisable, and if the owner or owners of two-thirds of the land to be bene-
18 fited petition in writing for such drain he may order such drainage as in his
19 judgment is required or may advise against the same, or advise that a drainage
20 district be formed or that the territory be added to some drainage district al-
21 ready formed as provided by law.

22 If it be determined to construct such drainage, then the county drainage
23 engineer shall call a meeting of all the land owners affected thereby to agree
24 upon the benefits, which shall be apportioned according to the number of acres
25 drained including not only that contiguous to the drain but all lands lying above
26 whose surplus waters pass into or through such drain. If the parties be not able
27 to agree, then the question of benefits shall be submitted to the arbitration of a
28 board of three (3) arbitrators of which the county drainage engineer shall be
29 the chairman and two (2) others to be selected by the different property own-
30 ers. The award of the arbitrators so chosen shall become final after thirty (30)
31 days but during the thirty (30) days any land owner or owners feeling aggrieved
32 may petition the county court to fix the benefits in a proceeding de novo, and
33 according to the provisions of this Act, and the cost of such drain may be levied
34 in the same manner as is provided in this Act with respect to the proceedings by
35 an organized or existing drainage district.



- 1 Introduced by Mr. Perkins, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to amend section 11 of an Act entitled, "An Act to prevent the preparation, manufacture, packing, storing, or distributing of food intended for sale, or sale of food under insanitary, unhealthful or unclean conditions or surroundings, to create a sanitary inspection, to declare that such conditions shall constitute a nuisance, and to provide for the enforcement thereof," approved June 5, 1911, and in force July 1, 1911.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 11 of an Act entitled, "An
3 Act to prevent the preparation, manufacture, packing, storing, or distributing
4 of food intended for sale, or sale of food under insanitary, unhealthful or un-
5 clean conditions or surroundings, to create a sanitary inspection, to declare that
6 such conditions shall constitute a nuisance, and to provide for the enforcement
7 thereof," approved June 5, 1911, and in force July 1, 1911, be and the same
8 is hereby amended so as to read as follows:

Sec. 11. It shall be the duty of the State Food Commissioner and those appointed by him to enforce this Act, and for that purpose the State Food Commissioner and his appointees shall have full power at all time to enter every such building, room, basement, inclosure or premises occupied or used or suspected of being occupied or used for the production, preparation or manufacture for sale, or the storage, sale distribution or transportation of such food, to inspect the premises and all utensils, fixtures, furniture and machinery used as aforesaid; and if upon inspection any such food producing or distributing establishment, conveyance, or any employer, employee, clerk, driver, or other person is found to be violating any of the provisions of this Act, or if the production, preparation, manufacture, packing, storage, sale, distribution or transportation of such food is being conducted in a manner detrimental to the health of the employees and operatives or to the character or quality of the food therein being produced, manufactured, packed, stored, sold, distributed or conveyed, the officer or inspector making the inspection or examination shall report such conditions and violations to the State Food Commissioner. The State Food Commissioner or the assistant commissioner shall thereupon issue a written order to the person, firm or corporation responsible for the violation or condition aforesaid to abate such condition or violation or to make such changes or improvements as may be necessary to abate them, within such reasonable time as may be required in which to abate them. Notice of such order may be served by delivering a copy thereof to said person, firm or corporation, or by sending a copy thereof by registered mail. Such person, firm or corporation shall have the right to appear in person or by attorney before the State Food Commissioner, or the person appointed by him for such purpose, within the time limited in the order, and shall be given opportunity to be heard and to show why such order or instructions should not be obeyed. Such hearing shall be under such rules and regulations as may be prescribed by the State Food Commissioner. If after such hearing it shall appear that the provisions or requirements of this Act have not been violated, said order shall be rescinded. If it shall appear that the requirements or provisions of this Act are being violated, and that the person,

32 firm or corporation notified as aforesaid is responsible therefor, said previous
 33 order shall be confirmed or amended, as the facts shall warrant, and shall
 34 thereupon be final, but such additional time as is necessary may be granted
 35 within which to comply with said final order. If such person, firm or corpora-
 36 tion is not present or represented when such final order is made, notice thereof
 37 shall be given as above provided. On failure of the party or parties to comply
 38 with the first order of the State Food Commissioner within the time prescribed,
 39 when no hearing is demanded, or upon failure to comply with the final order,
 40 within the time specified, the State Food Commissioner shall certify the facts to
 41 the State's attorney of the county in which such violation occurred, and such
 42 State's attorney shall proceed against the party or parties for the fines and
 43 penalties provided by this Act, and also for the abatement of the nuisance: *Pro-*
 44 *vided*, that the proceedings herein prescribed for the abatement of nuisances as
 45 defined in this Act shall not in any manner relieve the violator from prosecution
 46 in the first instance for every such violation, nor from the penalties for such
 47 violation prescribed by section 13 of this Act.

48 *Provided, further, that in all proceedings or prosecutions brought under*
 49 *this Act, it shall not be necessary to allege in the pleadings that a hearing was*
 50 *had before the commissioner and a certified copy of the records of the State Food*
 51 *Commissioner's office, showing that notice of hearing was sent by registered*
 52 *mail together with a copy of such notice of hearing and the receipt of the post-*
 53 *office department for such registered notice shall be received as evidence that*
 54 *such notice of hearing was given. A certificate in the following form shall be*
 55 *sufficient:*

56 "I,chief clerk (or other employee) in
 57 State Food Commissioner's office do hereby certify that the attached is a true,
 58 correct and complete copy or copies of the notice of hearing on Inspector's
 59 Sample No.....

60 That the said notice of hearing was enclosed by me in an envelope, properly
 61 stamped and addressed to.....
 62 of.....and was deposited

63 and registered in the postoffice department at Chicago, Illinois on the.....
64 day of.....A. D. 19.... and that the attached receipt of
65 the postoffice department is the receipt, received by this office for the said
66 notice.

67

68 I hereby certify that.....is the chief clerk (or
69 clerk) having custody of the records of Inspector's Sample No.....in
70 the State Food Commissioner's office and that the above, and the attached
71 papers are a true, correct and complete record of the matters therein certified
72 as appears by the records of my office."

73 Given under my hand and seal this.....day of.....A. D.

74

75 State Food Commissioner.

- 1 Introduced by Mr. Perkins, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to amend sections 1, 5, 6, 8, 9, 10, 17, 21, 39, 39A, 40 and 40A of an Act entitled, "An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthful, adulterated or misbranded foods, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith," approved May 14, 1907, and in force July 1, 1907, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 1, 5, 6, 8, 9, 10, 17, 21, 39,
3 39A, 40 and 40A of an Act entitled, "An Act to prevent fraud in the sale of
4 dairy products, their imitation or substitutes, to prohibit and prevent the manu-
5 facture and sale of unhealthful, adulterated or misbranded food, liquors or
6 dairy products, to provide for the appointment of a State Food Commissioner

7 and his assistants, to define their powers and duties and to repeal all Acts re-
 8 lating to the production, manufacture and sale of dairy and food products and
 9 liquors in conflict herewith," approved May 14, 1907, in force July 1, 1907, as
 10 amended by subsequent Acts, be and the same are hereby amended so as to read
 11 as follows:

12 Sec. 1. That the Governor shall appoint a commissioner who shall be
 13 known as the State Food Commissioner, who shall be a citizen of the State of
 14 Illinois, and who shall hold his office for a term of four years and until his suc-
 15 cessor is appointed and qualified, and who shall receive a salary of thirty-six
 16 hundred dollars per annum, and his necessary expenses incurred by him in the
 17 discharge of his official duties, and who shall be charged with the enforcement
 18 of all laws that now exist or that hereafter may be enacted in this State regard-
 19 ing the production, manufacture, sale and labeling of food as herein defined,
 20 and to prosecute or cause to be prosecuted any person, firm or corporation, or
 21 agent thereof, engaged in the manufacture or sale of any article manufactured or
 22 sold in violation of the provisions of any such law or laws. *The Commissioner*
 23 *shall provide himself with a seal for the authentication of his orders, records or*
 24 *other proceedings, upon which shall be inscribed the words, STATE FOOD*
 25 *COMMISSIONER ILLINOIS—SEAL.*

26 The governor shall also appoint from time to time, as required, a Food
 27 Standard Commission, for the purpose of determining and adopting standards
 28 of quality, purity or strength, for food products, for the State of Illinois, to
 29 consist of three members, one of whom shall be the State Food Commissioner
 30 or his representative, who shall serve without extra pay; one of whom shall be
 31 a representative of the Illinois food manufacturing industries, and one of whom
 32 shall be an expert food chemist of known reputation; all to be citizens of the
 33 State of Illinois, who shall receive fifteen (\$15.00) dollars per day for a period
 34 not exceeding *fifty (50)* days in one year, and necessary expenses incurred during
 35 the time employed in the discharge of their duties. *The said commission shall*
 36 *provide itself with a seal for the authentication of its standards, records or other*

37 *proceedings, upon which shall be inscribed the words, FOOD STANDARD COM-*
 38 *MISSION—ILLINOIS — SEAL. A certified copy of the records of Food*
 39 *Standard Commission, showing the standard of quality, purity and strength*
 40 *adopted and promulgated by it for food products shall be received in all courts*
 41 *as evidence that such standard was adopted.*

42 *A certificate in the following form shall be sufficient:*

43 *“I,, secretary (or member) of the*
 44 *Food Standard Commission of Illinois, and the custodian of the records thereof,*
 45 *do hereby certify that the attached is a true, correct and complete copy of the*
 46 *standard foradopted and promulgated by the Food*
 47 *Standard Commission on the.....day of, 19...., and*
 48 *published in.....*

49 *Given under my hand and the seal of said Commission this.....day*
 50 *of*

51 *.....”*

52 The said commissioner is hereby authorized to appoint, with the advice and
 53 consent of the Governor, one assistant commissioner, who shall be a practical
 54 dairyman, whose salary shall be three thousand dollars (\$3,000.00) per annum
 55 and expenses incurred in official duties. One chief chemist, who shall be known
 56 as State Analyst, whose salary shall be twenty-five hundred dollars (\$2,500.00)
 57 per annum and expenses incurred in the discharge of official duties. One at
 58 torney, whose salary shall be twenty-five hundred dollars (\$2,500.00) per annum
 59 and expenses incurred in the discharge of official duties. One chief clerk, whose
 60 salary shall be eighteen hundred dollars (\$1,800.00) per annum and expenses
 61 incurred in the discharge of official duties. One assistant clerk, whose salary
 62 shall be twelve hundred dollars (\$1,200.00) per annum and expenses incurred in
 63 the discharge of official duties. Three stenographers at one thousand (\$1,000.00)
 64 each per annum. Twelve inspectors, whose salaries shall be as follows: For
 65 the first two years of service, twelve hundred dollars each annually; for the third
 66 year of service, fourteen hundred dollars each annually, and for each succeeding

67 year of service an additional increase of one hundred dollars per year each
 68 until the maximum of eighteen hundred dollars a year each is attained, and ex-
 69 penses incurred in the discharge of their official duties. Said commissioner
 70 shall also have authority to appoint one bacteriologist at eighteen hundred dol-
 71 lars (\$1,800.00) per annum and expenses incurred in the discharge of his official
 72 duties, and seven analytical chemists whose salaries shall be as follows: For
 73 the first two years of service, twelve hundred dollars each annually; for the
 74 third year of service, fourteen hundred dollars each annually; for the fourth
 75 year of service, fifteen hundred dollars each annually, and for each succeeding
 76 year of service an additional increase of one hundred dollars per year each,
 77 until the maximum of eighteen hundred dollars per year is attained, and expen-
 78 ses incurred in the discharge of their official duties, and one laboratory janitor
 79 at seven hundred and twenty (\$720.00) dollars per annum.

80 The said commission shall make annual reports to the Governor not later
 81 than the 15th of January of his work and proceedings, and shall report in
 82 detail the number of inspectors he has appointed and employed, with their ex-
 83 penses and disbursements and the amount of salary paid the same, as he may
 84 from time to time issue bulletins of information when, in his judgment, the in-
 85 terests of the State would be promoted thereby.

86 The said commissioner shall maintain an office and laboratory, where the
 87 business of said department may be conducted. This section shall not effect
 88 (affect) the term of office of the present commissioner, and he shall be regarded
 89 as having been appointed under the provisions of this Act.

90 The food commissioner shall make analyses and examinations for the State
 91 charitable institutions of foods, drugs and such other supplies as the laboratory
 92 of the State Food Commission is equipped and prepared to examine and an-
 93 alyze.

Sec. 5. MANUFACTURING ADULTERATED OR MISBRANDED FOOD MISDEMEANOR.] It
 2 shall be unlawful for any person to manufacture for sale within the State of
 3 Illinois any article of food or drink which is adulterated and misbranded within

the meaning of this Act. *It shall be unlawful for any person to use filthy, decomposed, putrid, rotten, deleterious or poisonous substances as a constituent part of manufactured food, or in the manufacture of any food.* Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor, and, on conviction thereof, shall be punished according to the provisions of this Act: *Provided*, that no article of food shall be deemed misbranded or adulterated within the provisions of this Act when intended for export to any foreign country or purchaser, and prepared or packed according to the specifications or directions of the foreign country to which said article is intended to be shipped; but if said article shall be in fact sold or offered for sale for domestic use or consumption, then this proviso shall not except said article from the operations of any of the other provisions of this Act.

Sec. 6. *The having in possession or control of any food which violates any of the provisions of this Act with intent to sell the same or to use the same in violation of this Act is hereby prohibited; and whoever shall have in his possession or control with intent to sell or offer for sale any food which violates any of the provisions of this Act or with intent to use any such food in violation of the provisions of this Act shall be guilty of a misdemeanor and punished as herein provided. The possession or control of any food which violates any of the provisions of this Act shall be held to be prima facie evidence that such possession or control is or was with intent to sell or use such food in violation of this Act.*

Whoever shall have possession or control of any food which violates any of the provisions of this Act shall be held to have known the true character, quality and name of such food.

Sec. 8. DEFINES ADULTERATION.] That for the purpose of this Act, an article shall be deemed to be adulterated—

In case of confectionery:

4 First—If it contains terra alba, barytes, talc, chrome yellow, paraffin, min-
5 eral fillers or poisonous substances, or poisonous color or flavor.

6 Second—If it contains any ingredient deleterious or detrimental to health,
7 or any vinous, malt or spirituous liquor or compound, or narcotic drug.

8 In case of food:

9 First—If any substance has been mixed or packed with it so as to reduce
10 or lower or injuriously affect its quality, strength or purity.

11 Second—If any substance has been substituted wholly or in part for the
12 article.

13 Third—If any valuable constituent of the article has been wholly or in part
14 abstracted *or left out*: *Provided*, that in the manufacture of skim or separated
15 cheese the whole or part of the butter fats in the milk may be abstracted.

16 Fourth—If it be mixed, colored, powdered, coated, polished or stained in any
17 manner whereby damage or inferiority is concealed, or it is made to appear bet-
18 ter or of greater value than it really is.

19 Fifth—If it contains any added poisonous or other added deleterious ingre-
20 dient which may render such article injurious to health: *Provided*, that when in
21 the preparation of food products for shipment they are preserved by an external
22 application, applied in such a manner that the preservative is necessarily re-
23 moved mechanically, or by maceration in water, or otherwise, and directions for
24 the removal of said preservatives shall be printed on the covering of the pack-
25 age, the provisions of this Act shall be construed as applying only when such
26 products are ready for consumption; and *saccharine*, formaldehyde, hydro-
27 fluoric acid, boric acid, salicylic acid and all compounds and derivatives thereof
28 are hereby declared unwholesome and injurious.

29 Sixth—If it consists in whole or in part of a filthy, decomposed or putrid,
30 infected, tainted or rotten animal or vegetable substance or article, or any por-
31 tion of an animal unfit for food, whether manufactured or not, or if it is the
32 product of a diseased animal, or one that has died otherwise than by slaughter.

Sec. 9. MISBRANDED DEFINED.] The term "misbranded," as used herein,
2 shall apply to all articles of food or drink, or articles which enter into the
3 composition of food or drink, the packages or label(s) of which shall bear any
4 statement, design or device regarding such article, or the ingredients or sub-
5 stance contained therein which shall be false or misleading in any particular;
6 and to any such products which are falsely branded as to manufacture, packer
7 or dealer who sells the same or as to the state, territory or country in which
8 it is manufactured or produced. That for the purpose of this Act an article
9 shall also be deemed to be misbranded—

10 In case of food:

11 First—If it be an imitation of or offered for sale under the distinctive
12 name of another article, *or if it does not conform to the standards set forth in*
13 *this Act, or if it does not conform to the standards adopted from time to time by*
14 *the Food Standard Commission.*

15 Second—If it be labeled or branded so as to deceive or mislead the pur-
16 chaser, or purports to be a foreign product when not so, or if the contents of a
17 package as originally put up shall have been removed in whole or in part and
18 other contents shall have been placed in such package, or if it shall fail to bear
19 a statement on the label of the quantity or proportion of any morphine, opium,
20 cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hy-
21 drate, or acetanilid or any derivative or preparation of any such substances con-
22 tained therein.

23 Third—If in any package form and the contents are stated in terms of weight
24 or measure, they are not correctly and plainly stated on the outside of the pack-
25 age.

26 Fourth—If it be a manufactured article of food or food sold in package
27 form, and is not distinctly labeled, marked or branded with the true name of the
28 article and with either the name of the manufacturer and place of manufacture,
29 or the name and address of the packer or dealer who sells the same, *or if its*
30 *label does not conform to the regulations set forth in this Act, or if its label*

31 *does not conform to the rules and regulations adopted from time to time by the*
32 *State Food Commissioner.*

33 Fifth—If the package containing it or its label shall bear any statement,
34 design or device regarding the ingredients of the substance contained therein,
35 which statement, design or device shall be false or misleading in any particu-
36 lar: *Provided*, that an article of food which does not contain any added poison-
37 ous or deleterious ingredients shall not be deemed to be adulterated or misbrand-
38 ed in following cases:

39 1st. In case of mixture or compounds which may be now or from time to
40 time hereafter known as articles of food under their own distinctive names, and
41 not an imitation of or offered for sale under the distinctive name of another
42 article, if the name be accompanied on the same label or brand with a state-
43 ment of the place where the article has been manufactured or produced.

44 2nd. In case of articles labeled, branded or tagged so as to plainly indicate
45 that they are compounds, imitations or blends and the word “compound,” “imi-
46 tation” or “blend,” as the case may be, is plainly stated on the package in
47 which it is offered for sale: *Provided*, that the term “blend,” as used herein,
48 shall be construed to mean a mixture of like substance, not excluding harmless
49 coloring or flavoring ingredients used for the purpose of coloring and flavor-
50 ing only; and as applied to alcoholic beverages, only those distilled spirits shall
51 be regarded as “like substances” which are distilled from the fermented mash
52 of grain and are of the same alcoholic strength: *And, provided, further*, that
53 nothing in this Act shall be construed as requiring or compelling proprietors
54 or manufacturers of proprietary foods, which contain no unwholesome added in-
55 gredients to disclose their trade formulas, except in so far as the provisions of
56 this Act may require to secure freedom from adulteration or misbranding.

57 3rd. In the case of mixtures of corn syrup (glucose) or corn sugar (dex-
58 trose) or corn sugar syrup, with cane or beet sugar (sucrose) or cane or beet
59 sugar syrup, in food, if the maximum percentage of corn syrup (glucose), or
60 corn sugar (dextrose), or corn sugar syrup, in such article of food be plainly
61 stated on the label.

Sec. 10. CONDEMNATION AND CONFISCATION OF ILLEGAL FOODS.] Any article of

2 food or drink or liquor that is adulterated or misbranded within the meaning of
3 this Act, or that is made, labeled or branded contrary to the provisions of this
4 Act, or that does not conform to the definition or analytical requirements pro-
5 vided in this Act, shall be liable to be proceeded against in any court of record
6 or before any judge thereof, or before any justice of the peace within whose
7 jurisdiction the same may be found, and seized for condemnation and confisca-
8 tion; and authority and jurisdiction are hereby vested in the several courts of
9 record, the judges thereof in vacation, and the several justices of the peace, to
10 issue the warrant and to hear and determine the proceedings herein provided
11 for. Such proceedings shall be by complaint, verified by affidavit, and in the
12 name of the People of the State of Illinois against the article or articles pro-
13 ceeded against, particularly describing the same, the place where they are lo-
14 cated, the name of the person, firm or corporation in whose possession they
15 are found, and wherein they violate the provisions of this Act. Thereupon said
16 court, judge or justice of the peace shall issue a warrant directed to the sheriff,
17 bailiff or any constable of the county, commanding such officer to seize and
18 take into his possession the article or articles described in the complaint, and
19 bring the same before the court, judge or justice of the peace who issued the
20 warrant, and to summon the person, firm or corporation named in the war-
21 rant, and any other person who may be found in possession of the said arti-
22 cles to appear at the time and place therein specified, which service shall be made
23 in the same manner as service of process in civil cases in such court or before
24 such justice of the peace. *The warrant shall be returnable not less than five*
25 *(5) days nor more than fifteen (15) days from the date of issuing the same, and*
26 *may be executed and served at any time before the return day thereof; and the*
27 *hearing shall be at the time and place therein specified unless good cause is*
28 *shown for a continuance.* Upon the hearing the complaint may be amended, and
29 any person, firm or corporation that appears and claims the said article or arti-
30 cles shall be required to file its claim in writing. *The hearing shall be sum-*

31 *mary in its nature, and except as herein otherwise provided, shall conform, as*
32 *near as may be, to the proceedings in civil cases before such court, judge or jus-*
33 *tice of the peace: Provided, that either party may demand a trial by jury, and*
34 *an appeal or writ of error shall lie at the instance of either party to the proper*
35 *court and no bond shall be required of the people. And if such article is con-*
36 *demned as being adulterated or misbranded, or of a poisonous or deleterious*
37 *character within the meaning of this Act, or as made, labeled, or branded con-*
38 *trary to the provisions of this Act, or as not conforming to the definition or*
39 *analytical requirements provided in this Act, the same shall be confiscated and*
40 *disposed of by destruction or sale, as the court, judge or justice of the peace*
41 *may direct, and the proceeds thereof, if sold, less the legal costs and charges,*
42 *shall be paid into the treasury of the State of Illinois, but such article shall in*
43 *no instance be sold contrary to the provisions of this Act: Provided, however,*
44 *if the food seized consists of a number of separate and distinct articles as-*
45 *sembled together in containers, or in lots, or otherwise, and it shall appear to the*
46 *court that certain of said articles violate the provisions of this Act and certain*
47 *other of said articles do not violate the provisions of this Act, then in such cases,*
48 *if the articles can be conveniently separated the court may order that such arti-*
49 *cles be separated and the costs of such separation shall be taxed as other costs*
50 *of suit. The court may order such articles as are not in violation of this Act be*
51 *released to the claimant or owner thereof, and in cases where the claimant or*
52 *owner does not appear or refuses to accept such articles the court shall order such*
53 *articles sold, and the proceeds thereof, after the payment of all costs and*
54 *charges shall be held subject to the order of the court, and if the claimant or*
55 *owner thereof do not appear and demand the same within thirty days after said*
56 *order, the court may at any time thereafter order the proceeds of said sale for-*
57 *feited and confiscated and paid into the treasury of the State of Illinois, but*
58 *that part of the articles which violated the provisions of this Act shall be dis-*
59 *posed of or destroyed as herein directed: Provided, further, that upon the pay-*
60 *ment of the costs of such proceedings and the execution and delivery of a good*

61 and sufficient bond to the State Food Commissioner for the use of the People
 62 of the State of Illinois, to the effect that such articles shall not be *used*, sold or
 63 otherwise disposed of contrary to the provisions of this Act *and under such*
 64 *other conditions or supervision as may appear necessary*, the court may, by
 65 order, direct that such articles be delivered to the owner thereof.

Sec. 17. PERSONS RECEIVING MILK TO WASH CANS.] Any person, firm or cor-
 2 poration who receives from any other person, firm or corporation, any milk or
 3 cream, *or ice cream*, in cans, bottles or vessels which have been transported over
 4 any railroad or boat line, where such can, bottles or vessels are to be returned,
 5 shall cause the said cans, bottles or vessels to be emptied before the said milk
 6 or cream, *or ice cream*, contained therein shall become sour, and shall cause said
 7 cans, bottles or vessels to be immediately washed and thoroughly cleansed and
 8 aired.

Sec. 21. FALSE READING OF BABCOCK TEST PROHIBITED.] It shall be unlawful
 2 for the owner, manager, agent or any employee of a creamery or cheese fac-
 3 tory to manipulate, underread or *overread* the Babcock test, or any other con-
 4 trivance used for determining the quality or value of milk or cream or to falsify
 5 the record thereof, or to pay for such milk or cream on the basis of any meas-
 6 urement except the true measurement as thereby determined.

Sec. 39. STANDARD OF PURITY AND STRENGTH.] In the enforcement of this
 2 Act, and in the construction thereof, the following named articles of food-stuffs,
 3 when offered for sale or exposed for sale, or sold, shall conform to the analyti-
 4 cal requirements set opposite each respectively:

5 MILK shall contain not less than three (3) per cent of milk fat and not
 6 less than eight and one-half ($8\frac{1}{2}$) per cent of solids, not fat.

7 CREAM shall contain not less than eighteen (18) per cent of milk fat.

8 MAPLE SUGAR shall contain not less than sixty-five one hundredths
 9 (0.65) per cent of maple ash in the water-free substance.

10 HONEY is laevo-rotatory, contains not more than twenty-five (25) per cent
11 of water, not more than twenty-five hundredths (0.25) per cent of ash, and not
12 more than eight (8) per cent of sucrose.

13 CLOVES shall contain not more than five (5) per cent of clove stems, not
14 less than ten (10) per cent of volatile ether extract, not less than twelve (12)
15 per cent of quercitannic acid, not more than eight (8) per cent of total ash, not
16 more than five-tenths (0.5) per cent of ash insoluble in hydrochloric acid, and
17 not more than ten (10) per cent of crude fiber.

18 BLACK PEPPER shall contain not less than six (6) per cent of nonvolatile
19 ether extract, not less than twenty-five (25) per cent of pepper starch, nor more
20 than seven (7) per cent of total ash, not more than two (2) per cent of ash insolu-
21 ble in hydrochloric acid, and not more than fifteen (15) per cent of crude fiber.

22 LEMON EXTRACT shall contain not less than five (5) per cent of oil of
23 lemon by volume.

24 ORANGE EXTRACT shall contain not less than five (5) per cent of oil of
25 orange by volume.

26 VANILLA EXTRACT shall contain in one hundred (100) cubic centimeters
27 the soluble matters from not less than ten (10) grams of vanilla bean.

28 OLIVE OIL has a refractive index (25° C.) not less than one and forty-six
29 hundred and sixty ten thousandths (1.4660) and not exceeding one and forty-six
30 hundred and eighty ten-thousandths (1.4680), and an iodine number not less than
31 seventy-nine (79) and not exceeding ninety (90).

32 ALL VINEGARS shall contain four (4) grams of acetic acid in one hundred
33 (100) cubic centimeters (20° C.).

34 CIDER VINEGAR shall contain not less than one and six-tenths (1.6)
35 grams of apple solids, and not less than twenty-five hundredths (0.25) grams
36 of apple ash in one hundred (100) cubic centimeters (20° C.).

37 MALT VINEGAR shall contain in one hundred (100) cubic centimeters
38 (20° C.) not less than two (2) grams of solids and not less than two-tenths (0.2)
39 gram of ash.

40 WINE VINEGAR shall contain not less than one (1) gram of grape solids
 41 and not less than thirteen-hundredths (0.13) gram of grape ash in one hundred
 42 cubic centimeters (20° C.).

Sec. 39. *ICE CREAM is a frozen substance, made from cream, or milk and
 2 cream, and sugar, with or without the additions of such other wholesome sub-
 3 stances as have customarily * * * been used in making ice cream, and con-
 4 tains not less than eight per cent (8%) milk fat. * * * The following other
 5 substances have customarily been used in making ice cream: Eggs, flours,
 6 starches, butter, gelatin, flavoring, harmless colors, nuts, fruits, pastries and
 7 condensed milks, and manufactured, stored, distributed, and dispensed in a sani-
 8 tary manner.*

9 In the enforcement of this Act and the construction thereof all articles of
 10 food not defined in this Act, when offered for sale or exposed for sale, or sold,
 11 shall conform to the definition and analytical requirements of the standard
 12 adopted and promulgated from time to time by the State Food Standards Com-
 13 mission: *Provided*, such standards for any article of food or drink, or for any
 14 substance used or intended to be used in food or drink, shall be deemed *prima*
 15 *facie* evidence of the proper standard of quality, purity and strength of any such
 16 article or substance, but shall only be deemed such *prima facie* evidence in the
 17 trial of cases brought in the proper courts to enforce the provisions of this
 18 Act: *Provided*, that nothing in this section shall be construed to prevent the sale
 19 of any wholesome food product which is *below* such standards, if such article of
 20 food be labeled so as to clearly indicate such variation: *Provided, further, that*
 21 *in all places where foods below such standards are sold, there shall be placed in*
 22 *a prominent position a placard in large letters, of not less than two inches in*
 23 *length, which shall clearly indicate such variation so as to be easily read by*
 24 *customers.*

Sec. 39A. THE SALE OF ILLEGAL FOOD PROHIBITED.] *The sale of food which
 2 violates any of the provisions of this Act is hereby prohibited; and whoever*

3 offers for sale, exposes for sale or sells any food that violates *any of the pro-*
 4 *visions of this Act* shall be guilty of a misdemeanor and punished as herein pro-
 5 vided.

Sec. 40. PRELIMINARY HEARING BY THE COMMISSIONER.] When it appears
 2 from the examination or analysis that the provisions of this Act have been
 3 violated, the Food Commissioner shall cause notice of such fact, together with a
 4 copy of the findings, to be given to the party or parties from whom the sample
 5 was obtained; and to the party, if any, whose name appears upon the label as
 6 manufacturer, packer, wholesaler, retailer, or other dealer by registered mail.
 7 The party or parties so notified shall be given an opportunity to be heard
 8 under such rules and regulations as may be prescribed as aforesaid. Notices
 9 shall specify the date, hour and place of the hearing. The hearing shall be
 10 private and the parties interested therein may appear in person or by attorney.
 11 If, after such hearing, the commissioner shall believe this Act has been vio-
 12 lated, he shall cause the party or parties whom he believes to be guilty, to be
 13 prosecuted forthwith, under the provisions of this Act.

14 *In all proceedings or prosecutions brought under this Act, it shall not be*
 15 *necessary to allege in the pleadings that a hearing was had before the commis-*
 16 *sioner. A certified copy of the records of the State Food Commissioner's of-*
 17 *fice, showing that notice of hearing was sent by registered mail, together with*
 18 *a copy of such notice of hearing and the receipt of the post office department*
 19 *for such registered notice shall be received as evidence that such notice of hear-*
 20 *ing was given.*

21 *A certificate in the following form shall be sufficient:*

22 *"I,, Chief Clerk (or other employee)*
 23 *in State Food Commissioner's office, do hereby certify that the attached is a*
 24 *true, correct and complete copy or copies of the notice of hearing on Inspector's*
 25 *Sample No.....*

26 *That the said notice of hearing was enclosed by me in an envelope, properly*
 27 *stamped and addressed to.....*

28 of
29 and was deposited and registered in the post office department at Chicago, Illi-
30 nois, on the.....day of....., A. D. 19...., and that the at-
31 tached receipt of the post office department is the receipt received by this office
32 for the said notice.

33”
34

35 I hereby certify that is the chief clerk (or clerk)
36 having custody of the records of Inspector’s Sample No..... in the State
37 Food Commissioner’s office and that the above, and the attached papers are a
38 true, correct and complete record of the matters therein certified as appears by
39 the records of my office.”

40 Given under my hand and seal this.....day of.....
41
42 State Food Commissioner.

Sec. 40A. No action or prosecution shall be instituted against any person
2 for a violation of the provisions of this Act, unless the same shall have been
3 commenced within six months from the taking effect of said sample.



1 Adopted May 27, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 663 by striking out on page 7, section 9, beginning
2 on line 13 after the word "act" the following, "or if it does not conform to the
3 standards adopted from time to time by," and on line 14, the following, "The
4 Food Standards Commission."

AMENDMENT NO. 2.

Amend House Bill No. 663 by striking out lines 23, 24 and 25 of section 9, on
2 page 7, and in lieu thereof insert the following:

3 "If in package form, the quantity of the contents be not plainly and con-
4 spicuously marked on the outside of the package in terms of weight, measure,
5 or numerical count: *Provided, however,* that reasonable variation shall be
6 permitted and tolerances and also exemptions as to small packages shall be
7 established by rules and regulations made in accordance with the provisions of
8 section 38 of this Act."

AMENDMENT NO. 3.

Amend House Bill No. 663 by striking out on line 30, page 7, after the word
2 "act" the following: "or if its label." And on line 31, page 8, the following:
3 "does not conform to the rules and regulations adopted from time to time by
4 the State Food Commissioner."

AMENDMENT NO. 4.

Amend House Bill No. 663, on page 13, by striking out all of lines 1, 2, 3, 4,
 2 5, 6, 7 and 8 of section 39, and inserting in lieu thereof the following:

3 “Ice cream is a frozen substance, made from cream, or milk and cream, and
 4 sugar, with or without the additions of such other wholesome substances as
 5 have customarily been used in making ice cream, and contains not less than
 6 eight per cent (8%) milk fat, and manufactured, stored, distributed and dispensed
 7 in a sanitary manner. The following other substances have customarily been
 8 used in making ice cream: Eggs, flours, starches, butter, gelatin, flavoring, harm-
 9 less colors, nuts, fruits, pastries and condensed milks.”

AMENDMENT NO. 5.

Amend House Bill No. 663 by striking out section 39, on *page 13*, lines 9, 10,
 2 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24, and in lieu thereof insert
 3 the following:

4 “In the enforcement of this Act and in the construction thereof all articles
 5 of food not defined in this Act, when offered for sale or exposed for sale, or
 6 sold, shall conform to the definition and analytical requirements of the standard
 7 adopted and promulgated from time to time by the Food Standard Commis-
 8 sion: *Provided*, that standards of quality, purity or strength, for food prod-
 9 ucts, adopted from time to time by the Food Standards Commission and the
 10 regulations concerning the labeling of food products, adopted from time to time
 11 by the State Food Commissioner, shall constitute *prima facie* evidence in the
 12 trial of all cases in court of the proper standard or of the proper labeling:
 13 *Provided*, that nothing in this section shall be construed to prevent the sale of
 14 any wholesome food product which is below such standard, if such article of
 15 food be labeled so as to clearly indicate such variation: *Provided, further*,
 16 that in all places where foods below such standards are sold in bulk or have
 17 been removed from its original package, there shall be placed in a prominent

18 position a placard in large letters of not less than one inch in length which
19 shall clearly indicate such variation so as to be easily read by customers.”

AMENDMENT NO. 6.

Amend House Bill No. 663 by adding after line 5, section 39a on page 14,
2 the following:

3 “Sec. 39b. It shall be unlawful to ship or otherwise dispose of in any kind
4 of a container, or in any other manner, any collection of eggs or any eggs
5 known as “yolks stuck to the shell,” “heavy blood rings,” “partially hatched,”
6 “moldy eggs,” “black spots,” “black rots,” or any other eggs of an unwhole-
7 some nature, unless the same are broken in the shell, and then denatured, so as
8 to render the same unfit for human food.

9 Eggs exclusive of the above named varieties which are not intended for sale
10 to the trade in shell form are hereby declared “breaking stock.”

11 “Breaking stock,” when packed in cases sealed with proper identifying
12 strips, that have been approved by the State Food Commissioner, may be
13 shipped, from within or without the State of Illinois, either directly or other-
14 wise, to licensed egg breaking establishments in Illinois.

15 All persons, firms or corporations that engage in the State of Illinois in
16 the business of removing eggs from their shells in the manufacture of frozen,
17 liquid, dessicated, or any other form of whole egg, yolks, whites, or any mixture
18 of yolks and whites with or without the addition of any other ingredients,
19 shall before engaging in such business, apply to the State Food Commissioner
20 for a license. Thereupon, the State Food Commissioner, or his agents, shall
21 inspect the establishment and equipment of said egg breaking establishment,
22 and he shall also ascertain, if the said establishment complies in method and
23 equipment with the sanitary law and the rules and regulations that shall from
24 time to time be established by the State Food Commissioner for the govern-
25 ing of these establishments.

26 Every person, firm, or corporation engaged in the breaking of eggs as above
 27 described shall pay annually during the month of December of each year a
 28 license fee of three hundred dollars (\$300) for each establishment, to the Treas-
 29 urer of the State of Illinois. Said Treasurer shall in each case at once certify
 30 to the State Food Commissioner the payment of such fee, and thereupon the
 31 State Food Commissioner shall issue a license to such establishment.

32 It shall be unlawful for any one to have in his possession eggs known as
 33 "yolks stuck to the shell," "heavy blood rings," "partially hatched," "moldy
 34 eggs," "black spots," "brack rots," or any other unwholesome eggs, unless the
 35 same are broken in the shell, and then denatured, so as to render the same un-
 36 fit for human food.

37 Every egg breaking establishment, when it has received its license, shall be
 38 furnished with an identifying establishment number. Said number shall be in-
 39 cluded as part of the proper labeling of all cans or other receptacles in which
 40 frozen or dessicated egg products are offered for sale. The form and manner
 41 of placing said number on containers shall be under rules and regulations pro-
 42 mulgated by the State Food Commissioner.

43 Brokers, commission men, or ordinary receivers of eggs who have eggs
 44 shipped to them in these "breaking stock" identified cases, may break the seal
 45 and examine the stock, but they must reseal the identified strip where it is
 46 cut, with another identifying strip which carries their name and address and
 47 the date on which they inspected the eggs. They will be held responsible for
 48 any tampering of the contents of the identified cases.

49 Whoever shall violate any of the provisions of this section shall be guilty
 50 of a misdemeanor and shall be punished as provided in this Act, and in addition
 51 thereto the State Food Commissioner shall at once revoke such offender's
 52 license."

AMENDMENT NO. 7.

Amend House Bill No. 663, in section 40a, on page 15, on line 3, by striking
 2 out the word "effect".

AMENDMENT NO. 8.

Amend House Bill No. 663 by striking out on page 2, line 34, the word
2 “fifty” and the figures “50” and insert in lieu thereof the word “thirty” and
3 the figures “30”.

AMENDMENT NO. 9.

Amend House Bill No. 663 by striking out in line 58, section one, of the
2 printed bill, the letters and figures “\$2500.00” and inserting in lieu of same
3 “\$1800.00”.

AMENDMENT NO. 10.

Amend House Bill No. 663, as printed, by striking out all of lines 11, 12 and
2 13 of section 6, page 5.

AMENDMENT NO. 11.

Amend printed House Bill No. 663 by striking out of line 26, page 6, sec-
2 tion 8, the word “saccharine”.

AMENDMENT NO. 12.

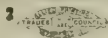
Amend House Bill No. 663 by striking out all of line 7 of section 6 thereof
2 after the word “provided”, and also all of lines 8, 9, and 10 of said section.

AMENDMENT NO. 14.

Amend House Bill No. 663 by eliminating the period at the end of bill and
2 by adding thereto the following:

3 “Nor unless begun by and with the advice and consent of the State’s At-
4 torney of the proper county, first had and obtained therefor; and such pros-
5 ecution shall at all times be under and within the control of said State’s At-
6 torney.”

—Amdt to H B 663



We, the undersigned Committee of Conference, appointed to consider the difference between the two Houses, in relation to the Senate amendments to House Bill No. 663, in Senate, being a bill for "An Act to amend sections 1, 5, 6, 8, 9, 10, 17, 21, 39, 39a, 40 and 40a of an Act entitled, 'An Act to prevent fraud in the sale of dairy products, their imitation or substitutes, to prohibit and prevent the manufacture and sale of unhealthy, adulterated or misbranded foods, liquors or dairy products, to provide for the appointment of a State Food Commissioner and his assistants, to define their powers and duties, and to repeal all Acts relating to the production, manufacture and sale of dairy and food products and liquors in conflict herewith,' approved May 14, 1907, and in force July 1, 1907, as amended by subsequent Acts," beg leave to report that we recommend the following as the action to be taken by the Senate and the House of Representatives, respectively:

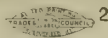
First. We recommend that the House concur with the Senate in Senate amendments 1, 2 and 3.

Second. We recommend that the Senate recede from Senate amendment number four.

All of which is respectfully submitted.

WALTER MANNY,
D. T. WOODARD,
A. J. OLSON,
J. G. BARDILL,
HENRY ANDRUS,
Committee on behalf
of the Senate.

D. B. ELLIS,
GEO. C. HILTON,
F. R. DEYOUNG,
THOMAS CURRAN,
Committee on behalf
of the House.



- 1 Introduced by Mr. Pierson, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to revise the law in relation to the Illinois State Museum of Natural
History.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* The Illinois State Historical Library and
3 Natural History Museum shall hereafter be known as the Illinois State Museum
4 of Sciences and Arts. All specimens, exhibits, books and property of all kinds
5 now in the care, custody or control of the Illinois State Historical Library and
6 Natural History Museum are hereby transferred and assigned to the Illinois
7 State Museum of Sciences and Arts and all officers and employees of said mu-
8 seum are hereby continued as officers and employees of the Illinois State Mu-
9 seum of Sciences and Arts until their successors shall be appointed in such man-
10 ner as is now or hereafter may be provided by law.

Sec. 2. The purpose of the Illinois State Museum of Sciences and Arts is

- 2 (a) The *collection and preservation* of objects of scientific and artistic value,
3 representing past and present fauna and flora, the life and works of man from

4 earliest times, geological history, natural resources, etc., the manufacturing
 5 arts, and the fine arts. (b) The *investigation, and the display* of such objects
 6 in an attractive manner. (c) The *diffusion of knowledge* by publication, by lec-
 7 tures and by exhibitions of materials in the museum, at public schools and at
 8 county, State, national and other fairs and expositions.

Sec. 3. The "Illinois State Museum of Sciences and Arts" shall be admin-
 2 istered by a board of five trustees, composed as follows: The Governor, presi-
 3 dent of the State University, and three trustees, one of whom shall be a member
 4 of the State Academy of Science, appointed by the Governor and Senate. The
 5 term of one of the appointed members shall expire January 1, 1917, another in
 6 1919 and the third in 1921; thereafter the terms of each shall be four years.

Sec. 4. The title of curator of the Illinois State Historical Library and
 2 Natural History Museum shall hereafter be known as the director of the Illinois
 3 State Museum of Sciences and Arts. The director shall have the care and cus-
 4 tody of the specimens, exhibits, books, documents, records, rooms and property
 5 of the Illinois State Museum of Sciences and Arts and shall, as far as possible,
 6 carry out the purpose of the museum and generally do and perform the duties
 7 usually performed by men in similar positions in the leading museums of the
 8 country. In case of a vacancy in the office of the director, the trustees shall ap-
 9 point a successor who shall be a man of high scientific attainments and with tech-
 10 nical knowledge of museum work. The director shall receive a salary of not
 11 less than three thousand dollars per annum, payable in equal monthly install-
 12 ments.

Sec. 5. The Governor is hereby vested with power to appoint by and with
 2 the advice and consent of the Senate, honorary curators of botany, woods and
 3 forestry, anthropology, anatomy and physiology, vertebrate and invertebrate
 4 paleontology, invertebrate zoology, ichthyology, herpetology, ornithology, mam-
 5 malogy, public health, painting, sculpture and architecture, from among the most

6 eminent workers in these respective branches in the State. The term of appoint
7 ment shall be four years. The persons so appointed shall serve without pay, but
8 their necessary expenses while performing work for the museum shall be paid
9 out of the appropriations from time to time made for the maintenance and sup-
10 port of the museum. -It shall be the duty of the honorary curators to furnish ex-
11 pert information and counsel in their respective lines.

Sec. 6. It shall be the duty of the trustees to provide safe and adequate
2 rooms for the museum in the city of Springfield. All the printing, printing pa-
3 per, binding and stationery needed for the use of the museum shall be fur-
4 nished by the Commissioners of State Contracts.

Sec. 7. The Act entitled, "An Act to establish a State Historical Library
2 and Natural History Museum, to provide for its care and maintenance, and to
3 appropriate money therefor," approved May 25, 1877, in force July 1, 1877, and
4 all Acts amendatory thereof, are hereby repealed.



- 1 Introduced by Mr. Rinehart, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to authorize the Board of Administration and the commissioners of any penal or reform institution of this State, at their respective institutions, to dispose of unclaimed personal property belonging to discharged or deceased inmates.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That hereafter all articles of personal
3 property belonging to a discharged or deceased inmate of any State charitable
4 institution, penal institution or reformatory, and in custody of the superintend-
5 ent or other proper officer of such institution wherein the inmate was located,
6 may, if unclaimed by such discharged inmate, or the legal representative of
7 such deceased inmate, for a period of six months after the discharge, departure
8 or demise of such inmate, be sold at public auction under the direction of the
9 Board of Administration, if the inmate was in any of the State charitable insti-
10 tutions, or the commissioners of such penal institutions or reformatory wherein
11 such inmate was confined: *Provided,* such sale shall be made at the main public
12 entrance of such institution, and only after five written or printed or partly writ-

13 ten and partly printed notices have been posted, describing the property to be
14 sold and naming the former owner, if known; one such notice to be posted in
15 the office of such institution, and one such notice to be placed in some prominent
16 place within such institution or reformatory, as the case may be, where such
17 sale shall take place, and the other notices provided for herein to be placed in
18 public places in the usual manner of posting notices by masters in chancery; all
19 of the said notices to be placed not more than thirty (30) days nor less than
20 fifteen (15) days before such sale.

21 The proceeds derived from the sales provided for herein shall be paid into
22 the amusement fund of such institution where such sale shall take place.

23 If any money shall remain in the hands of any managing officer of either of
24 the institutions before referred to, to the credit of any inmate of such institu-
25 tions or reformatory for a period of six months after the discharge or death of
26 such inmate, such money shall be paid into the amusement fund of such institu-
27 tions or reformatory for the use of the inmates: *And, provided further*, that
28 all personal property or funds of the inmates of the institutions mentioned
29 aforesaid that have heretofore escheated to and vested in the county, shall here-
30 after escheat to and vest in the amusement fund before mentioned, except that
31 all amounts of one hundred dollars (\$100.00), or more, may be recovered back in
32 the same manner as now provided by section 7 of an Act entitled, "An Act to re-
33 vise the law in relation to escheats:" *And provided further*, that all funds now
34 in the possession or which may hereafter be in the possession of the managing
35 officers of either of the above mentioned institutions and known as a "posthu-
36 mous fund" or "store fund," or other fund accumulated in similar manner, and
37 all accumulations of interest thereon, may be disposed of for the benefit of the
38 institution where the same is held, in a manner to be directed by the Board of
39 Administration, commissioners of penal institutions or reformatory, as the case
40 may be.

- 1 Introduced by Mr. F. J. Ryan, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to provide for annexing territory to cities, villages and incorporated towns and to repeal an Act therein named.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That whenever a petition in writing,
3 signed by a majority of the legal voters and by a majority of the owners of the
4 property representing more than half the amount in value of all the property
5 in any territory contiguous to but not embraced within the limits of any city,
6 village or incorporated town is presented to the city council of such city or
7 board of trustees of such village or incorporated town, asking that such territory
8 may be annexed to such city, village or incorporated town, the said city council
9 or board of trustees (as the case may be) shall submit the question of the an-
10 nexation of such territory to a vote of the people of said city, village or incor-
11 porated town at its next general election occurring not less than thirty days
12 after the presentation of such petition, or, in case no such general election will
13 take place within ninety days thereafter, the question may, on a two-thirds vote
14 of such city council or board of trustees, be submitted at a special election to

15 be called for that purpose within sixty (60) days after the presentation of such
16 petition. The ballots to be used at such general or special election for that
17 purpose shall contain a sufficient description of the territory proposed to be
18 annexed to indicate in a general way its location and size, but the said ballots
19 need not contain a full legal description, and the form of such ballot and the
20 manner of receiving same and canvassing and making return of the result of
21 the vote thereon, and notice of election, shall conform to the requirements pre-
22 scribed by the general election laws of the State of Illinois applicable to such
23 cities, villages or incorporated towns for the form of ballots and the manner
24 of conducting elections and notice of same in the case of public measures to be
25 submitted to the vote of the people. In case a majority of the votes cast on
26 such question shall be in favor of annexation, then, upon the completion of the
27 canvass of the votes and the announcement of such result by the election of-
28 ficers conducting such election, who shall forthwith make a certificate of the re-
29 sult of such canvass, the jurisdiction of such city, village or incorporated town
30 shall extend over the said territory: *Provided, however,* that nothing in this
31 section contained shall prevent small areas of land not exceeding twenty acres
32 and having less than ten legal voters residing thereon, or territory lying be-
33 tween two municipalities for either of which a petition to annex one or a part
34 of same to the other has been filed, or territory lying entirely within the
35 boundaries of one municipality, from being annexed to a city, village or incor-
36 porated town contiguous to or surrounding same by ordinance in the manner
37 hereinafter provided.

Sec. 2. Whenever the owner or owners of any tract of land not exceeding
2 twenty acres in area and having less than ten legal voters residing thereon and
3 which is contiguous to a city, village or incorporated town shall present a peti-
4 tion in writing, signed by them, to the city council of such city or board of trus-
5 tees of such village (as the case may be) asking that such tract of land may be
6 annexed to such city, village or incorporated town, such city council or board

7 of trustees (as the case may be) may, by ordinance passed by a two-thirds vote
8 annex such tract of land to such city, village or incorporated town.

Sec. 3. In all cases where a petition under the provisions of an Act en-
2 titled, "An Act to provide for the annexation of cities, incorporated towns and
3 villages, or parts of same, to cities, incorporated towns and villages," approved
4 and in force April 25, 1889, as subsequently amended, has been presented to the
5 judge of the county court wherein a city, village or incorporated town is located,
6 asking that the question of the annexation to such city, village or incorporated
7 town of another city, village or incorporated town or a part thereof be submit-
8 ted to the legal voters of such two municipalities, if any territory intervenes
9 between such two municipalities that is not embraced within any other city, vil-
10 lage or incorporated town and which is wholly surrounded by such two munici-
11 palities, it shall be within the power of the city council or board of trustees (as
12 the case may be) of the city, village or incorporated town to which such annexa-
13 tion is sought, to annex such intervening territory by ordinance passed by a
14 three-fourths vote of such city council or board of trustees (as the case may
15 be), but such annexation shall not be complete and shall not take effect until
16 the vote on the question of annexation under such petition so presented to the
17 said judge of the county court shall have been taken and unless the majority of
18 the voters shall have voted for annexation, in which event such annexation of a
19 municipality or part of same shall carry with it the annexation of such inter-
20 vening territory. And in all cases where territory lies wholly within the boun-
21 daries of a city, village or incorporated town but over which the jurisdiction of
22 such city, village or incorporated town does not extend, the city council or
23 board of trustees (as the case may be) of such city, village or incorporated town
24 shall have the power to and may by ordinance passed by a three-fourths vote
25 annex and extend the jurisdiction of such city, village or incorporated town over
26 such territory wholly within its borders.

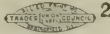
Sec. 4. When any territory shall be annexed to a city, village or incorporated
2 town under the provisions of this Act, it shall be the duty of the city clerk,

3 village clerk or town clerk (as the case may be) to cause an accurate map of
4 such annexed territory, together with a certified copy of the certificate of the
5 canvass of votes by the election officers conducting the election for annexation,
6 or a certified copy of the ordinance making such annexation, as the case may be,
7 to be filed for record in the office of the recorder for the county in which such
8 annexed territory is situated, and to notify the county clerk of such county in
9 writing that such annexation has taken place.

Sec. 5. In all cases where territory is annexed to a city, village or incor-
2 porated town under the provisions of this Act, all property rights and ques-
3 tions of indebtedness and tax matters affecting the territory so annexed, or any
4 corporate authorities or taxing bodies within whose jurisdiction the territory
5 so annexed shall have been located, shall be adjusted in accordance with the pro-
6 visions of an Act entitled, "An Act to provide for the annexation of cities, in-
7 corporated towns and villages, or parts of same, to cities, incorporated towns
8 and villages," approved and in force April 25, 1889, as subsequently amended.

Sec. 6. All courts in this State shall take judicial notice of the changes of
2 the territory of cities, villages and incorporated towns made under the provis-
3 ions of this Act.

Sec. 7. Be it further enacted, that an Act entitled, "An Act to provide
2 for annexing and excluding territory to and from cities, towns and villages,
3 and to unite cities, towns and villages," approved April 10, 1872, in force July
4 1, 1872, and all Acts amendatory thereof be and the same are hereby repealed.



- 1 Introduced by Mr. Scanlan, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act entitled: An Act to provide for the Organization and Management of Mutual Insurance Corporations, other than Life; and repealing certain Acts and parts of Acts therein referred to.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any number of persons, not less than
3 twenty, a majority of whom shall be bona fide residents of the State of Illinois,
4 by complying with the provisions of this Act, may become, together with others
5 who may hereafter be associated with them or their successors, a body corpor-
6 ate, for the purpose of carrying on the business of Mutual Insurance as herein
7 provided.

Sec. 2. Any persons proposing to form any such corporation shall sub-
2 scribe and certify to Articles of Association specifying:

3 1. The name, the purpose for which formed, location of its principal or
4 home office, which shall be within the State.

5 2. The names and addresses of those composing the Board of Directors in
6 which the management shall be vested until the first meeting of members.

7 3. The name and place of residence of the incorporators.

Sec. 3. The Articles of Association of each such corporation shall be sub-
 2 mitted to the Insurance Superintendent for his approval and, if prepared in ac-
 3 cordance with this Act, he shall approve the same, and such Articles shall be
 4 filed with the Insurance Superintendent.

Sec. 4. The name of every such corporation shall contain the word "Mu-
 2 tual," and shall end with the word "Company," "Corporation," or "Incorpor-
 3 ated."

Sec. 5. No such name shall be adopted by such corporation which is so
 2 similar to any name already in use by any such existing corporation, company
 3 or association, organized or doing business in the United States, as to be confus-
 4 ing or misleading.

Sec. 6. The corporation shall have legal existence subject to the limitations
 2 prescribed in this Act, from the approval and filing of such Articles, and the
 3 original incorporators may adopt by-laws, which thereupon shall be filed with
 4 the Insurance Superintendent.

Sec. 7. Any corporation or organized under the provisions of this Act
 2 is empowered and authorized to make contracts of insurance or to reinsure or
 3 accept reinsurance on any portion thereof, for the kinds of insurance as follows:
 4 *Provided*, that no mutual corporation organized or licensed under this Act shall
 5 have power to write any kind of insurance which is not permitted to be written
 6 by stock companies under the laws of this State.

7 1. To make insurance on property and rents and use and occupancy
 8 against loss or damage by fire, lightning, hail, tempest, earthquake, explosion,
 9 fire ensuing and explosion, no fire ensuing, except explosion by steam boilers or
 10 flywheels against loss or damage by water, caused by the breakage or leakage of
 11 sprinklers, pumps, or other apparatus, water pipes, plumbing, or their fixtures,
 12 erected for extinguishing fires and against accidental injury from any cause to

13 water pipes, plumbing, or their fixtures, erected for extinguishing fires, and
14 against accidental injury from any cause to such sprinklers, pumps, other ap-
15 paratus, water pipes, plumbing and fixtures; on the risks of inland transportation
16 and navigation; and to make insurance upon automobiles, whether stationary or
17 operated under their own power, against loss or damage by any of the causes or
18 risks specified in this section, including explosion, transportation, collision, lia-
19 bility for damage to property resulting from owning, maintaining, or using auto-
20 mobiles, and including burglary and theft, but not including loss or damage by
21 reason of bodily injury to the person.

22 2. Against loss, expense and (or) liability by reason of bodily injury,
23 death by accident, disability, sickness or disease suffered by others for which the
24 insured may be liable or have assumed liability.

25 3. To issue individual insurance policies against bodily injury, or death
26 by accident or upon the health of persons.

27 4. Against loss, expense, and liability resulting from the ownership, main-
28 tenance or use of any automobile or other vehicle.

29 5. Against loss or liability to persons or property resulting from explo-
30 sion, or accidents, to boilers, containers, pipes, engines, fly wheels, elevators and
31 machinery in connection therewith and against loss of use and occupancy caused
32 thereby, and to make inspections and issue certificates of inspection thereon.

33 6. Against loss from interruption of trade or business which may be the
34 result of any accident or casualty.

35 7. Against any loss or liability arising from any other casualty or insur-
36 ance hazard which may lawfully be the subject of insurance, excepting life or
37 fire.

Sec. 8. Any mutual corporation authorized to transact the kind of insur-
2 ance described under Sub-section 1 of section 7, shall not be authorized to trans-
3 act any of the kinds of insurance described under sub-sections 2, 3, 4, 5, 6 and
4 7 of section 7; nor shall any mutual corporation authorized to transact any of the
5 kinds of insurance described under sub-sections 2, 3, 4, 5, 6 and 7 of section 7,

6 be authorized to transact the kind of insurance described under sub-section 1 of
 7 section 7. Any mutual corporation authorized to transact any of the kinds of
 8 insurance described under sub-sections 2, 3, 4, 5, 6 and 7 of section 7, may be
 9 authorized to transact any or all of the additional kinds described under said
 10 sub-sections, providing it holds the admitted assets required under sub-section 7
 11 of section 9.

Sec. 9. No such corporation shall issue policies or transact any business of
 2 insurance unless it shall comply with the conditions following, nor until the In-
 3 surance Superintendent has by formal license authorized it to do so, which li-
 4 cense shall not issue until the corporation has complied with the following con-
 5 ditions:

6 If organized to transact the kind of insurance described in sub-section 1,
 7 of section 7:

8 1. Applications for at least two hundred (200) risks, for at least twenty
 9 members, shall be subscribed, aggregating not less than five hundred thousand
 10 dollars (\$500,000.00) insurance.

11 2. The maximum amount of any single risk, less reinsurance, shall not
 12 exceed three times the average risk or one per cent of the insurance applied for,
 13 whichever is the greater.

14 3. A premium upon each application shall be collected in cash and the cor-
 15 poration shall hold total cash assets of not less than twice the maximum single
 16 risk assumed subject to one fire, nor less than ten thousand dollars (\$10,000.00).

17 4. It shall hold admitted assets equal to at least two times the maximum
 18 risk assumed.

19 If organized to transact the kind of insurance described under sub-sections
 20 2, 3, 4, 5, 6 and 7 of section 7:

21 5. It shall hold bona fide applications for insurance upon which it shall
 22 issue simultaneously at least twenty policies to at least twenty members of the
 23 same kind of insurance upon not less than 200 separate risks, each within the
 24 maximum single risk prescribed herein.

25 6. The maximum single risk shall not exceed twenty per cent of its ad-
26 mitted assets or three times the average policy, or one per cent of the insurance
27 in force, whichever is the greater, any reinsurance taking effect simultaneously
28 with the policy being deducted in determining such maximum single risk.

29 7. It shall hold admitted assets for each kind of insurance to be issued
30 equal to at least five times the maximum single risk assumed.

31 8. For the purpose of transacting the kind of insurance specified in sub-
32 section 2 of section 7, no more than \$25,000.00 in such admitted assets shall be re-
33 quired, and at least 1,500 employees shall be covered, each such employee being
34 considered a separate risk, and the provision with regard to maximum single
35 risk shall not apply.

 Sec. 10. When more than one kind of insurance as enumerated and de-
2 scribed under sub-sections 2, 3, 4, 5, 6 and 7 of section 7, is effected by the same
3 corporation, each kind shall be written in a separate policy. In the accounts
4 pertaining to each kind shall be entered all receipts thereof and all expenses in-
5 curred directly in its behalf and a due proportion of the unallocated expenses
6 of the corporation, in such manner as to show separately the underwriting ex-
7 perience. The funds earned by one kind of insurance shall not be available to
8 pay losses or expenses incurred by another kind until all available assets of the
9 kind where the losses or expenses were incurred are exhausted. The return of
10 excess premiums, if any, shall be based upon the contribution of each kind of
11 insurance to such excess.

 Sec. 11. Any public or private corporation, board of association in this
2 State or elsewhere may make applications, enter into agreements for and hold
3 policies in any such mutual insurance corporation. Any officer, stockholder,
4 trustee or legal representative of any such corporation, board, association or
5 estate may be recognized as acting for or on its behalf for the purpose of such
6 membership, but shall not be personally liable upon such contract of insurance
7 by reason of acting in such representative capacity.

Sec. 12. Every corporation organized under the provision of this Act, may,
2 in its corporate name, sue and be sued; and shall have power to make con-
3 tracts of insurance or indemnity with any person, firm, public or private corpor-
4 ation, board, association or estate or any trustee or legal representative of same,
5 in this State or elsewhere; prescribe the qualifications and the manner and form
6 of the admission of members; to have and to use a common seal which may be
7 changed or altered at pleasure; to be capable in its corporate name or in the
8 name of a trustee chosen by the Board of Directors, to take, purchase, lease,
9 hold and dispose of real or personal property for carrying into effect the pur-
10 pose of the corporation; to make all necessary rules and regulations concerning
11 the hazards incurred, the premium rates to be used and adjustment and pay-
12 ment of losses; to fix the compensation of its directors and officers and require
13 bond for the faithful performance of their duties; to exercise all such other
14 powers as may be necessary to effect the object of such corporation, subject to
15 the restrictions herein provided; to make or amend by-laws not inconsistent with
16 law or the provisions of the Articles of Association, which by-laws shall fix the
17 date and place of the annual meeting of members, shall designate the number
18 of directors, which shall be not less than five, define the duties of the officers
19 and fix the term of office of the directors and officers of such company, and
20 make all further necessary provisions concerning the conduct of its business or
21 affairs.

Sec. 13. Every policyholder shall be a member of the corporation and shall
2 be entitled to one or more votes, based upon the insurance in force, the number
3 of policies held, or the amount of premium paid, as may be provided in the by-
4 laws, and such members may vote in person or by proxy.

Sec. 14. The by-laws shall provide for a cash premium and may limit the
2 contingent liability of the members to an amount not less than one or more
3 than ten times the cash premium expressed in the policy. The maximum con-
4 tingent liability of the holder of each policy shall be plainly stated as a part of

5 each policy. The by-aws may also provide for policies to be issued for cash
6 premiums without contingent liability of policyholders, as provided in section 15.

Sec. 15. No such corporation shall issue any insurance policy for a cash
2 premium and without contingent liability until and unless it possesses surplus
3 of at least one hundred thousand dollars (\$100,000.00) and not less in amount
4 than the capital required of domestic stock insurance companies transacting
5 the same kind of insurance.

Sec. 16. No such corporation shall invest any of its assets except in ac-
2 cordance with the laws of this State relating to the investment of funds of do-
3 mestic stock insurance companies doing a similar business.

Sec. 17. Such corporation shall maintain unearned premium and other re-
2 serves, separately for each kind of insurance, upon such basis as is re-
3 quired of domestic stock companies writing the same kind of insurance: *Pro-*
4 *vided, however,* that any reserve for losses or claims based upon the premium
5 income shall be computed upon the net premium income, after deducting any
6 so-called dividend or premium returned or credited to the assured: *Provided,*
7 *further,* that where a State insurance fund is operated for insuring any of the
8 kinds of insurance enumerated under section 7, then the reserves required of any
9 mutual corporation for such kinds of insurance shall not be greater than the
10 reserves required of the State fund.

Sec. 18. Such corporation not possessed of assets at least equal to the un-
2 earned premium reserve and other liabilities, shall make an assessment upon its
3 members liable to assessment, to provide for such deficiency, such assessment to
4 be against each such member in proportion to such liability as may be expressed
5 in his policy: *Provided,* the Insurance Superintendent may, by written order,
6 relieve the corporation from an assessment or other proceedings to restore such
7 assets during the time fixed in such order.

Sec. 19. Any director, officer or member of any such corporation, or any
 2 other person, may advance to such corporation any sum or sums of money neces-
 3 sary for the purpose of its business, or to enable it to comply with any of the re-
 4 quirements of the law, and such moneys and such interest thereon as may have
 5 been agreed upon, not exceeding ten per cent per annum, shall not be a liability
 6 or claim against the corporation or any of its assets, except as herein provided,
 7 and shall be repaid only out of the surplus earnings of such corporation. No
 8 commission or promotion expenses shall be paid in connection with the advance
 9 of any such money to the corporation, and the amount of such advance shall be
 10 reported in each annual statement.

Sec. 20. The president or vice-president, together with the secretary of each
 2 corporation organized or authorized to do business under this Act, shall an-
 3 nually on or before the 28th day of February of each year, prepare under oath,
 4 if required, and file with the Insurance Superintendent a full, true and com-
 5 plete statement of the condition of the company on the 31st day of December of
 6 the preceding year, in such form as shall be prescribed by said Insurance Sup-
 7 intendent.

Sec. 21. When by the laws of any other State, district or territory any
 2 corporation is authorized to engage in the insurance business on the mutual
 3 plan in accordance with the laws of the State, district or territory in which the
 4 corporation is organized, it shall be admitted to do the kinds of insurance busi-
 5 ness authorized by this Act when it shall be solvent under this Act and shall
 6 have complied with the following requirements, to-wit:

- 7 1. Filed with the Insurance Superintendent a duly certified copy of the
 8 charter and articles of association.
- 9 2. Paid the Insurance Superintendent a fee of twenty-five (\$25.00) dollars.
- 10 3. Filed with the Insurance Superintendent a copy of its by-laws certified
 11 to by its secretary.

12 4. Appointed the Insurance Superintendent as a person upon whom pro-
13 cess may be served, which when so served shall be of the same force and effect,
14 as if served upon the company. This authority shall continue in force so long
15 as liability remains outstanding in this State.

16 5. Filed a certificate of the Insurance Superintendent that said corpora-
17 tion is organized and authorized to do such business in the State, district or ter-
18 ritory in which it is incorporated.

19 6. Filed a financial statement under oath, in such form as may be required
20 and have complied with other provisions of law applicable to the filing of pa-
21 pers by and the audit and inspection of stock companies transacting the same
22 kind of insurance.

23 Upon compliance by any foreign corporation with the provisions of this sec-
24 tion, its application to do business in this State, shall be approved by the In-
25 surance Superintendent and such officer shall issue to such corporation a per-
26 mit, in writing, authorizing it to do business within the State. When legal pro-
27 cess against any such corporation is served upon said Insurance Superintend-
28 ent, he shall immediately notify the company of such service by registered let-
29 ter, prepaid and directed to its home office, or to such officer or authorized repre-
30 sentative as the company may direct, and enclose copy of the process served on
31 him. The plaintiff in such process so served shall pay the Insurance Superin-
32 tendent at the time of such service a fee of \$2.00, which shall be recovered by
33 him as a part of the taxable costs if he prevails in the suit. The insurance sup-
34 erintendent shall keep a record of all processes served upon him, which record
35 shall show the day and hour when such service was made.

Sec. 22. Any mutual insurance company heretofore organized and doing
2 business pursuant to the laws of the State of Illinois, may without reorganiza-
3 tion avail itself of and be governed by all the provisions of this Act, by the
4 adoption by its board of directors of a resolution accepting the provisions of
5 this Act. A copy of such a resolution duly certified by the president and the sec-

6 retary of such company, shall be filed with the Insurance Superintendent of
7 the State of Illinois. Nothing in this Act shall affect any contract of insurance
8 heretofore made.

Sec. 23. Nothing in this Act shall be construed as repealing any existing
2 statute or provision of law not herein expressly repealed, and nothing herein
3 contained shall repeal or amend any existing law in so far as same relates to
4 reciprocal insurers or inter-insurers.

Sec. 24. That an Act entitled "An Act to provide for the organization
2 and management of mutual corporations for the purpose of furnishing insurance
3 and indemnity against loss or liability to members in consequence of accidents
4 or casualties to any employee, person or persons, occurring in or connected
5 with the business of members thereof; and to control such corporations of this
6 State and other states doing business in this State and providing and fixing the
7 punishment for violation of the provisions thereof," approved May 16, 1905, in
8 force July 1, 1905, as amended, except section 13½ thereof; and all provisions of
9 an Act entitled, "An Act to incorporate and govern fire, marine and inland
10 navigation insurance companies doing business in the State of Illinois," ap-
11 proved and in force May 11, 1869, as amended, in conflict herewith; and an
12 Act entitled, "An Act to incorporate companies to do the buisness of burglary
13 and casualty insurance on the mutual plan, and to control such companies of
14 this State and of other states and foreign governments doing business in this
15 State," approved April 24, 1899, in force July 1, 1899, be. and each of them is
16 hereby repealed.

12 4. Appointed the Insurance Superintendent as a person upon whom pro-
13 cess may be served, which when so served shall be of the same force and effect,
14 as if served upon the company. This authority shall continue in force so long
15 as liability remains outstanding in this State.

16 5. Filed a certificate of the Insurance Superintendent that said corpora-
17 tion is organized and authorized to do such business in the State, district or ter-
18 ritory in which it is incorporated.

19 6. Filed a financial statement under oath, in such form as may be required
20 and have complied with other provisions of law applicable to the filing of pa-
21 pers by and the audit and inspection of stock companies transacting the same
22 kind of insurance.

23 Upon compliance by any foreign corporation with the provisions of this sec-
24 tion, its application to do business in this State, shall be approved by the In-
25 surance Superintendent and such officer shall issue to such corporation a per-
26 mit, in writing, authorizing it to do business within the State. When legal pro-
27 cess against any such corporation is served upon said Insurance Superintend-
28 ent, he shall immediately notify the company of such service by registered let-
29 ter, prepaid and directed to its home office, or to such officer or authorized repre-
30 sentative as the company may direct, and enclose copy of the process served on
31 him. The plaintiff in such process so served shall pay the Insurance Superin-
32 tendent at the time of such service a fee of \$2.00, which shall be recovered by
33 him as a part of the taxable costs if he prevails in the suit. The insurance sup-
34 erintendent shall keep a record of all processes served upon him, which record
35 shall show the day and hour when such service was made.

Sec. 22. Any mutual insurance company heretofore organized and doing
2 business pursuant to the laws of the State of Illinois, may without reorganiza-
3 tion avail itself of and be governed by all the provisions of this Act, by the
4 adoption by its board of directors of a resolution accepting the provisions of
5 this Act. A copy of such a resolution duly certified by the president and the sec-

6 retary of such company, shall be filed with the Insurance Superintendent of
7 the State of Illinois. Nothing in this Act shall affect any contract of insurance
8 heretofore made.

Sec. 23. Nothing in this Act shall be construed as repealing any existing
2 statute or provision of law not herein expressly repealed, and nothing herein
3 contained shall repeal or amend any existing law in so far as same relates to
4 reciprocal insurers or inter-insurers.

Sec. 24. That an Act entitled "An Act to provide for the organization
2 and management of mutual corporations for the purpose of furnishing insurance
3 and indemnity against loss or liability to members in consequence of accidents
4 or casualties to any employee, person or persons, occurring in or connected
5 with the business of members thereof; and to control such corporations of this
6 State and other states doing business in this State and providing and fixing the
7 punishment for violation of the provisions thereof," approved May 16, 1905, in
8 force July 1, 1905, as amended, except section 13½ thereof; and all provisions of
9 an Act entitled, "An Act to incorporate and govern fire, marine and inland
10 navigation insurance companies doing business in the State of Illinois," ap-
11 proved and in force May 11, 1869, as amended, in conflict herewith; and an
12 Act entitled, "An Act to incorporate companies to do the business of burglary
13 and casualty insurance on the mutual plan, and to control such companies of
14 this State and of other states and foreign governments doing business in this
15 State," approved April 24, 1899, in force July 1, 1899, be and each of them is
16 hereby repealed.



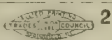
1 Introduced by Mr. Sonnemann, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to provide for first aid medical services to injured employees.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all hospitals, physicians, and drug-
3 gists be and are required to extend first aid medical service to all persons injured
4 during the course of their employment and brought to them for attention.
5 That all employers operating under the Workmen's Compensation Act whose
6 employees receive first aid medical service shall compensate any hospital, phy-
7 sician or druggist extending such first aid medical service, and in any case
8 where the employer of the injured person is not operating under the Workmen's
9 Compensation Act, and when such employer is not liable according to law and
10 such employer fails or refuses to compensate the hospital, physician or druggist
11 who has extended such first aid medical service to an employee, then the hos-
12 pital, physician or druggist shall present his bill for compensation to the county
13 board of the county wherein the services were rendered and it shall be incumb-
14 ent upon such board to appropriate a sum of money that shall reasonably com-
15 pensate for the services rendered by such hospital, physician or druggist, and
16 the county so paying for such service or aid shall succeed to the right of re-
17 covery of such hospital, physician or drug store against anyone liable there-
18 for.



1 Introduced by Mr. Sonnemann, April 13, 1915.

2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to provide for the registration and reporting of employers of labor to
the State Factory Inspection Department.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: That it shall be the duty of every em-*
3 *ployer of labor employing three or more employees to register with the State*
4 *Factory Inspection Department. Upon registering such employer shall file with*
5 *the department a statement covering the employment; showing whether the same*
6 *is conducted by an individual, firm or corporation, giving the names of the per-*
7 *sons or officers conducting it, the exact location of the factory, work-shop, of-*
8 *fice, place of business, and all branches thereof, if any. The nature of the bus-*
9 *iness and the number of persons employed, both male and female.*

10 *Every employer of labor employing three or more employees shall make an*
11 *annual report to the Factory Inspection Department, to be filed by February*
12 *1st of each year, showing whether the business is conducted by an individual,*
13 *firm or corporation, giving the names of the persons or officers conducting it,*
14 *the exact location of the factory, work-shop, office, place of business, and all*
15 *branches thereof, if any.*



- 1 Introduced by Mr. Sonnemann, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act providing for the protection and safety of persons in and about the construction, repairing, alteration or removal of buildings, bridges, viaducts, and other structures, and to provide for the enforcement thereof," approved June 3, 1907, in force July 1, 1907, by amending section one (1), section seven (7), section eight (8), and section nine (9), also by adding eight (8) new sections to be known as section 3a, section 7b, section 8a, section 8b, section 8c, section 8d, and section 8f, respectively.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act providing for the protection and safety of persons in and about the construction, repairing, alteration or removal of buildings, bridges, viaducts, and other structures, and to provide for the enforcement thereof," approved June 3, 1907, in force July 1, 1907, be and the same is hereby amended by amending section one (1), section seven (7), section eight (8), and section nine (9), and by adding eight (8) new sections to be known as section 3a, section 7b, section 8a, section 8b, section 8c, section 8d, section 8e, and section 8f, which said amended sections and added sections shall read as follows:

11 Sec. 1. That all scaffolds, hoists, cranes, stays, ladders, supports, or other
 12 mechanical contrivances, erected, or constructed by any person, firm or corpora-
 13 tion, in this State, for the use in the erection, repairing, alteration, removal
 14 or painting of any house, building, bridge, viaduct, or other structure, shall be
 15 erected and constructed in a safe, suitable and proper manner, and shall be so
 16 erected and constructed, placed and operated, as to give proper and adequate
 17 protection to the life and limb of any person or persons employed or engaged
 18 thereon, or passing under or by the same, and in such manner as to prevent the
 19 falling of any material that may be used or deposited thereon.

20 Scaffolding, or staging, swung or suspended from an overhead support,
 21 more than twenty (20) feet from the ground or floor, shall have where prac-
 22 ticable, a safety rail properly bolted, secured and braced, rising at least thirty-
 23 four (34) inches above the floor, or main portion of such scaffolding or staging,
 24 and extending along the entire length of the outside and ends thereof, and prop-
 25 erly attached thereto, and such scaffolding or staging shall be so fastened as to
 26 prevent the same from swaying from the building or structure. *All stacks ten*
 27 *(10) feet or more high, and all tanks, supports, chimneys, towers, steeples, or*
 28 *any enclosed shaftway where work is being done from the inside shall have not*
 29 *less than three sets of scaffold, each set to be not more than ten (10) feet apart*
 30 *while under construction. All stacks, tanks, supports, chimneys, towers, steeples,*
 31 *or other enclosed shaftways where material is being hoisted on the inside in*
 32 *buckets, boxes, tubs, or any other receptacle shall be provided with guides and*
 33 *be securely covered to prevent tools, brick or material from falling out of same.*

 Sec. 3a. *It shall be the duty of any owner, executor of an estate, firm, cor-*
 2 *poration, their agents, contractors, sub-contractors, architects, engineers, foreman*
 3 *or other person in charge of erection or construction of any building eight (8)*
 4 *stories or more in height when completed, to provide a proper and safe passenger*
 5 *elevator or elevators in or about such building when in the course of construc-*
 6 *tion, operated by a competent person regularly assigned to such duty, to carry*
 7 *employees engaged in the construction of such building up and down to and from*

8 *their work. Such elevator to be in operation when building reaches a height of*
9 *four (4) stories, and such elevator to be raised from time to time within not*
10 *less than two (2) stories of highest point reached as building progresses: Pro-*
11 *vided, that a story within the meaning of this Act shall not be less than ten (10)*
12 *nor more than twenty-five (25) feet for the first story, and not less than nine (9)*
13 *nor more than fourteen (14) feet, (center to center), for all subsequent stories.*
14 *Any failure to comply with this section of this Act shall be a separate offense*
15 *for each and every day such employees hereinbefore mentioned are engaged in*
16 *the construction of such building, and shall be punishable as hereinafter pro-*
17 *vided.*

Sec. 7. If elevating machines or hoisting apparatus are used within *or with-*
2 *out* a building in the course of construction, for the purpose of lifting *tools or*
3 *materials* to be used in such construction, the contractor's or owners shall cause
4 the shafts or openings in each floor to be enclosed or fenced in on all sides by a
5 substantial barrier or railing at least eight (8) feet in height. Any hoisting ma-
6 chine or engine used in such building construction, shall, where practicable, be set
7 up or placed on the ground, and where it is necessary in the construction of
8 such building to place such hoisting machine or engine on some floor above the
9 ground floor, such machine or engine must be properly and securely supported
10 with a foundation capable of safely sustaining twice the weight of such machine
11 or engine. If a building in course of construction is five stories or more in
12 height, no material needed for such construction shall be hoisted or lifted over
13 public streets or alleys unless such street or alley shall be barricaded from use
14 by the public. *All elevating machines, hoisting apparatus and elevators between*
15 *floors shall be barricaded or protected in such manner that no material falling*
16 *off such machine, apparatus or elevator will hurt anybody or fall on floor. All*
17 *"material hoists," or elevators used for hoisting material, operated by horse or*
18 *hand power shall be securely locked when not in actual operation, and shall be so*
19 *protected and barricaded as to prevent falling of material. The chief officer in*
20 *any city, town or village charged with the enforcement of local building laws,*

21 and the State Factory Inspector are *each* hereby charged with enforcing the
 22 provisions of this Act: *Provided*, that in all cities in this State, where a local
 23 building commissioner is provided for by law, such officer shall *also* be charged
 24 with the duty of enforcing the provisions of this Act, and in case of his failure,
 25 neglect or refusal so to do, the State Factory Inspector shall, pursuant to the
 26 terms of this Act, enforce the provisions thereof.

Sec. 7b. *It shall be the duty of all owners, contractors, sub-contractors and*
 2 *architects to so enclose all signal-systems, or bell cords used in connection with*
 3 *the operating of any crane, hoist, derrick, or other mechanical apparatus for the*
 4 *raising or lowering of materials, that the said signal-system or bell cord shall*
 5 *not be interrupted or interfered with.*

Sec. 8. It shall be the duty of all architects or draftsmen engaged in pre-
 2 paring plans, specifications or drawings to be used in the erection, repairing,
 3 altering or removing of any building or structure within the terms and provis-
 4 ions of this Act to provide in *all* such plans, specifications and drawings for all
 5 the structural features or requirements specified in this Act, *and to require of all*
 6 *engineers and their superintendents of construction, that the provisions of this*
 7 *Act be fully complied with;* and any failure on the part of any such architect or
 8 draftsman to perform such duty shall subject such architect or draftsmen to
 9 *the penalties hereinafter provided.*

Sec. 8a. *It shall be the duty of all owners, contractors, and sub-contractors*
 2 *engaged in the erection, construction, alteration or repairing of any bridge*
 3 *structure, bridge building, viaduct, or other structure in which beams or cross*
 4 *beams are laid horizontally in such structure to support all of the steel or iron to*
 5 *which such beams or cross beams are attached, and such beams and cross beams*
 6 *or other horizontal pieces of steel or iron, when the same are placed in position,*
 7 *in such a way that the said horizontal pieces of iron or steel so placed shall re-*
 8 *main firm, even and regular, for all persons working with and upon and about*

9 the same, and so as to prevent the falling of any material therefrom that may be
10 placed upon the same.

Sec. 8b. *It shall be the duty of all owners, contractors, sub-contractors,*
2 *superintendents, foremen, or other persons in charge of the erection, construction,*
3 *building, alteration, repairing, or demolition of any building, where scaffolds are*
4 *suspended on the outside of such building, for use in the erection, construction,*
5 *alteration, repairing, removal, or demolition of such building, to place at a dis-*
6 *tance of not more than sixteen (16) feet from such scaffolding hanging, or other*
7 *support, another scaffold, sufficiently wide and strong to catch and prevent the*
8 *falling of any person or persons, material or materials, tools, or appliances, to,*
9 *or upon the street, court, highway, or premises within and upon which such*
10 *building is being erected, and so as to prevent any person who may be passing*
11 *under or by, or who may be working contiguous to the building, viaduct, or other*
12 *structure upon which such work of erection, repairing, alteration, or demolition*
13 *may be going on, from being struck by any person who may fall from such scaf-*
14 *folding, or any tools or appliances or material or materials that may fall or be*
15 *thrown or hurled therefrom.*

Sec. 8c. *It shall be the duty of all owners, contractors, or sub-contractors*
2 *to erect and maintain fit and sanitary toilets for building construction em-*
3 *ployees, at least one toilet to be maintained for every five floors as the building*
4 *progresses; and any failure on the part of any owner, contractor or sub-con-*
5 *tractor to provide such a toilet as is herein described, shall be subject to the pen-*
6 *alties hereinafter provided.*

Sec. 8d. *Any owner, contractor, or sub-contractor of any building in pro-*
2 *cess of construction shall provide drinking fountains on each floor of the build-*
3 *ing while under construction; and any owner, contractor or sub-contractor who*
4 *shall fail to provide such drinking fountains as are herein described, shall be sub-*
5 *ject to the penalties hereinafter provided.*

Sec. 8e. *No gasoline shall be used for lighting purposes in caissons, excavating and tunnel work.*

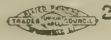
Sec. 8f. *All owners, contractors, architects, or men in charge of work on buildings in process of construction shall provide a first-aid outfit on all construction work and place some competent person in charge to render first aid only.*

Sec. 9. Any owner, contractor, sub-contractor, foreman, architect or engineer, or other person having charge of the erection, construction, repairing, alteration, removal, or painting of any building, bridge, viaduct, or other structure within the provisions of this Act, shall comply with all the terms thereof, and any such owner, contractor, sub-contractor, foreman or other person violating any of the provisions of this Act shall, upon conviction thereof, be fined for the first offense not less than ten (10) dollars nor more than one hundred (100) dollars, and upon conviction of a second or subsequent offense shall be fined not less than one hundred dollars nor more than five hundred (500) dollars, or imprisoned for not less than three (3) months nor more than one (1) year in the county jail, or both fined and imprisoned, in the discretion of the court, and in each case shall stand committed until such fine and costs are paid, unless otherwise discharged by due process of law.

And in case of any such failure to comply with any of the provisions of this Act, the State Factory Inspector or his deputies may, through the State's Attorney, or any other attorney in case of his failure to act promptly, take the necessary legal steps to enforce compliance therewith.

If it becomes necessary, through the refusal or failure of the State's Attorney to act, for any other attorney to appear for the State, in any suit involving the enforcement of any provision of this Act, reasonable fees for the services of such attorneys shall be allowed by the board of supervisors or county commissioners in and for the county in which such proceedings are instituted.

23 For any injury to person or property, occasioned by any wilful violations
24 of this Act, or wilful failure to comply with any of its provisions, a right of
25 action shall accrue to the party injured, for any direct damages sustained there-
26 by, and in case of loss of life by reason of such wilful violation or wilful fail-
27 ure as aforesaid, a right of action shall accrue to the widow of the person so
28 killed, his lineal heirs or adopted children, or to any other person or persons
29 who were, before such loss of life, dependent for support on the person or per-
30 sons so killed, for a like recovery of damages for the injuries sustained by
31 reason of such loss of life or lives.



- 1 Introduced by Mr. Taylor, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

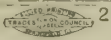
For an Act to amend an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as subsequently amended by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That an Act entitled, "An Act to provide
3 for the holding of primary elections by political parties," approved March 9,
4 1910, in force July 1, 1910, as subsequently amended by amending section one
5 (1) thereof so that said section (1) when amended shall read as follows:

6 Séc. 1. The nomination of all candidates for all elective State, congres-
7 sional, county, city and village *when the population of such city or village ex-*
8 *ceeds one thousand (1,000)* (including officers of the municipal court of Chicago),
9 town and judicial officers, members of the State Board of Equalization, clerks of
10 the Appellate courts, trustees of sanitary districts, township officers in town-
11 ships co-extensive with cities, incorporated towns or villages, and for the elec-
12 tion of precinct, ward and State central committeemen, and delegates and al-
13 ternate delegates to National nominating conventions, by all political parties, as

14 defined by section two (2) of this Act, shall be made in the manner provided
15 in this Act, and not otherwise: *Provided*, this Act shall not apply to the nomi-
16 nation of candidates for electors of President and Vice President of the United
17 States, and trustees of the University of Illinois: *And, provided, further*, that
18 this Act shall not apply to school elections and township elections other than in
19 townships co-extensive with cities, incorporated towns or villages. The words
20 “township officers” or “township offices” shall be construed when used in this
21 Act to include supervisors, and assistant supervisors.



- 1 Introduced by Mr. Tompkins, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872, in force July 1, 1872, as subsequently amended, by amending section 78 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly: That an Act entitled, “An Act for the assessment of property and for the levy and collection of taxes,” approved March 30, 1872 in force July 1, 1872, as subsequently amended be and the same is hereby amended by amending section 78 thereof so that said section 78 when amended shall read as follows:*

Sec. 78. *The office of the township assessor in townships under township organization and having a population of not less than twenty-five thousand (25,000) and not to exceed seventy-five thousand (75,000) shall be open all the year during business hours to hear or receive complaints or suggestions that real property has not been assessed at proper valuation, and may hear and receive complaints or suggestions from any taxpayer relative to assessments of*

13 *property, both real and personal. The town board of auditors is hereby au-*
14 *thorized to provide the necessary office or offices for said township assessor and*
15 *to incur the necessary expense therefor, and it is also authorized to fix the*
16 *compensation to be paid said township assessor or his deputy or deputies for*
17 *service rendered or to be rendered. The assessor or his deputy shall, also,*
18 *between the first day of April and June, proceed to take a list of the taxable*
19 *personal property in his county, town or district, and assess the value thereof*
20 *in the manner following, to-wit: He shall call at the office, place of doing busi-*
21 *ness, or residence of each person required by this Act to list property, and*
22 *list his name, and shall require such person to make a correct statement of his*
23 *taxable property, in accordance with the provisions of this Act; and the person*
24 *listing the property shall enter a true and correct statement of such property,*
25 *in the form prescribed by this Act, which shall be signed and sworn to, to the*
26 *extent required by this Act, by the person listing the property, and delivered to*
27 *the assessor; and the assessor shall thereupon assess the value of such prop-*
28 *erty, and enter the same in his books: Provided, if any property is listed or as-*
29 *sessed on or after the first day of July, and before the return of the assessor's*
30 *books, the same shall be as legal and binding as if listed and assessed before*
31 *that time.*

- 1 Introduced by Mr. Tompkins, April 13, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

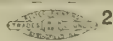
A BILL

For an Act to amend an Act entitled, "An Act to provide for the election of boards of school inspectors in certain cases, to define the powers and to regulate the revenue thereof, to vest the title to certain school property and to repeal certain Acts herein named," approved May 25, 1907, and in force July 1, 1907, by amending section two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to provide
3 for the election of boards of school inspectors in certain cases, to define the pow-
4 ers and to regulate the revenue thereof, to vest the title to certain school prop-
5 erty and to repeal certain Acts herein named," approved May 25th, 1907, and
6 in force July 1, 1907, be and the same is hereby amended by amending section two
7 (2) thereof so that said section when amended shall read as follows:

8 Sec. 2. Such board of inspectors, when elected and qualified, shall have
9 power, in addition to the powers conferred upon it by special law and the gen-
10 eral school law, to employ teachers, janitors and such other employees as the

11 board of inspectors shall deem necessary and to fix the amount of their compen-
12 sation; to buy or lease sites for school houses, with the necessary grounds; to
13 build, erect, lease or purchase buildings suitable for school purposes; to repair
14 and improve school buildings and to furnish them with the necessary supplies,
15 fixtures, apparatus, libraries and fuel: *Provided, that no money shall be ex-*
16 *pended, nor any indebtedness incurred, nor any trade, contract or agreement be*
17 *made or entered into by such inspectors for any of the aforesaid purposes of buy-*
18 *ing or leasing sites for school houses, or grounds or buildings, erecting, leas-*
19 *ing or purchasing of buildings or the repair or improvement of school buildings*
20 *where the amount to be expended shall exceed one thousand dollars (except*
21 *for the purchase of fuel), unless such proposition or question shall be first*
22 *submitted to the voters of such districts, in the manner provided by the general*
23 *school laws of the State of Illinois, at any general election held in such districts,*
24 *and a majority of the votes cast on the proposition or question, so submitted,*
25 *shall be in favor thereof.* It shall be the further duty of said board of inspec-
26 tors to take the entire supervision and control of the schools of such districts,
27 and on or before the first day of January and July of each year, file a detailed
28 report of all disbursements made or authorized by such board for the preceding
29 six months, with the county superintendent of schools; such reports to be veri-
30 fied by the clerk of said board.



- 1 Introduced by Mr. Harry Wilson, April 13, 1915.
2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended by subsequent Acts, by amending section 127 thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 127 of an Act entitled, "An
3 Act to establish and maintain a system of free schools," approved and in
4 force June 12, 1909, be and is hereby amended so as to read as follows:

Sec. 127. The board of education shall have all the powers of school directors, be subject to the same limitations, and, in addition thereto, they shall
2 have the power, and it shall be their duty:

4 First. To establish and support free schools for not less than seven nor
5 more than ten months in each year.

6 Second. To repair and improve school houses and furnish them with the
7 necessary fixtures, furniture, apparatus, libraries and fuel.

8 Third. To examine teachers by examinations supplemental to any other
9 examinations, and to employ teachers for a term of from one to five years and

10 fix the amount of their salaries.

11 Fourth. To establish schools of different grades, to adopt regulations for
12 the admission of pupils into the same, and to assign pupils to the several
13 schools.

14 Fifth. To buy or lease sites for school houses with the necessary grounds:
15 *Provided, however,* that it shall not be lawful for such board of education to
16 purchase or locate a school house site, or to purchase, build or move a school
17 house, unless authorized by a majority of all the votes cast at an election called
18 for such purpose in pursuance of a petition signed by not fewer than five hun-
19 dred legal voters of such district, or by one-fifth of all the legal voters of such
20 district: *And, provided, further,* that if no locality shall receive a majority of
21 all the votes cast at such election, the board of education may, if, in their judg-
22 ment, the public interest requires it, proceed to select a suitable school house site;
23 and the site so chosen by them in such case shall be legal and valid the same as
24 if it had been determined by a majority of all the votes cast; and the site so
25 selected shall be the school house site for such district; and said district shall
26 have the right to take the same for the purpose of a school house site, either
27 with or without the owner's consent, by condemnation, or otherwise: *And, pro-*
28 *vided, further,* that all school house sites heretofore located or selected by
29 boards of education in cases in which at an election duly called and held as
30 herein provided, no site received a majority of the votes cast, are hereby legal-
31 ized and made valid school house sites in and for the district for which they
32 were so located and selected.

33 Sixth. To levy a tax to extend schools beyond a period of ten months, in
34 each year, upon a petition of a majority of the voters of the district.

35 Seventh. To employ a competent superintendent for a term of from one
36 to five years and fix the amount of his salary. Said superintendent shall have
37 general supervision of all the schools in the district and may be required to
38 act as principal or teacher in said school. Said superintendent shall have power
39 to nominate and recommend to the board of education the teachers for said dis-
40 trict, and no teacher shall be elected who is not so nominated; and he shall have

41 *power to assign teachers to positions in the schools of said district and to make*
42 *transfers of teachers when such transfers are in his judgment for the good of*
43 *the schools. And it shall be the further duty of said superintendent to formulate*
44 *courses of study in such subjects as the board of education decide shall be of-*
45 *fered in the schools of the district, and to select and recommend to the board of*
46 *education all text books, supplementary books, maps and other teaching ap-*
47 *paratus needed in the schools of said district.*

48 Eighth. To divide the district into sub-districts, to create new ones and to
49 alter or consolidate them.

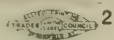
50 Ninth. To dismiss and remove any teacher, whenever in their opinion, he
51 is not qualified to teach, and to dismiss and remove any superintendent, when-
52 ever in their opinion, he is not qualified to discharge the duties of his office,
53 or whenever in their opinion the interests of the school require the dismissal of
54 either or both.

55 Tenth. To apportion the pupils to the several schools.

56 Eleventh. To appoint a secretary who shall keep a faithful record of all
57 their proceedings.

58 Twelfth. To prepare and publish annually in some newspaper, or in
59 pamphlet form, a report including the school attendance in the year preceding,
60 the program of studies, the number of persons between the ages of 12 and 21
61 unable to read and write, and a statement of the receipts and expenditures,
62 with the balance on hand.

63 Thirteenth. To request the trustees of schools, in writing, to convey any
64 real estate or interest therein used for school purposes, or held in trust for
65 schools.



- 1 Introduced by Mr. Butler, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act for the appointment of commissioners for the construction and erection of a monument to the memory of former Major General John A. McClernand at Springfield, Illinois, and to appropriate twenty-five thousand (\$25,000) dollars therefor.

WHEREAS, The remains of John A. McClernand, formerly Major General and national character, lie buried at Springfield, Illinois, and

WHEREAS, The burial place is marked by no suitable monument, and

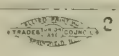
WHEREAS, John A. McClernand is an illustrious example of American citizenship and of the influence of the character and quality of liberty enjoyed under our free institutions. From humble circumstances he arose to high honors in the State and nation by sheer force of merit.

WHEREAS, The great services rendered by the said John A. McClernand to the State and nation as General in the United States Army and as commander of the 13th Army Corps, deserve such recognition as will express the appreciation of his countrymen and fellow citizens; *Therefore,*

SECTION 1. *Be it enacted by the People of the State of Illinois,*
 2 *represented in the General Assembly:* That the Governor is hereby authorized
 3 and empowered to appoint five commissioners who shall Act without compen-
 4 sation and whose duty it shall be to purchase, erect and dedicate a suitable
 5 monument with an appropriate inscription thereon, to the memory of John A.
 6 McClermand, at Springfield, Illinois.

Sec. 2. Said commissioners are hereby empowered to make all necessary
 2 contracts and spend such sums of money in connection with the purchase, erec-
 3 tion and dedication of said monument as shall be necessary or shall be ap-
 4 propriated by the legislature for that purpose from the State treasury, not to
 5 exceed twenty-five thousand (\$25,000) dollars. Upon the completion of the
 6 work, the said commissioners shall make a full report to the Governor of all
 7 their acts and doings under this Act.

Sec. 3. The sum of twenty-five thousand (\$25,000) dollars, or so much
 2 thereof as shall be necessary, is hereby appropriated for the purpose of pro-
 3 curing, erecting and dedicating a suitable monument in accordance with this
 4 Act to the memory of John A. McClermand at Springfield, Illincis, and the Audi-
 5 tor of Public Accounts is hereby authorized, empowered and directed to draw
 6 his warrants on the State Treasurer for the payment of the expenditures neces-
 7 sary therefor upon the presentation to him of proper vouchers therefor, certi-
 8 fied to by the commissioners charged with the purchase and erection of said
 9 monument and by and with the approval of the Governor.

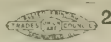


- 1 Introduced by Mr. Hamlin, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to enable park commissioners, park boards, or boards of park commissioners to grant, convey or release lands and rights to cities and villages for harbor uses and purposes.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That any park commissioners, park
board, or board of park commissioners which has heretofore acquired or shall
hereafter acquire the title to any lands adjacent to or adjoining upon or pene-
trating into any public waters in this State or to the submerged lands and bed
of such public waters, or any part thereof, or to any riparian or other rights,
may grant, convey or release any of such lands or rights to any city or village
authorized to acquire, own, construct, maintain and operate in, over and upon the
public waters bordering thereon, harbors, canals, slips, wharves, docks, levees,
piers, quay walls, breakwaters and harbor structures, facilities, connections and
improvements, for such purposes or any of them. Any such park commission-
ers, park board, or board of park commissioners may grant, convey or release to
any such city or village the right to construct and maintain roadways and other
appropriate approaches to or connections with any harbor or harbor utility or
appurtenance of such city or village, over and across any lands and property of
such park commissioners, park board, or board of park commissioners.



- 1 Introduced by Mr. Brinkman, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and in force July 1, 1897, as amended.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act concern-
3 ing local improvements," approved June 14, 1897 and in force July 1, 1897, as
4 subsequently amended, be and the same is hereby amended by adding thereto
5 a section to be known as "section 42-a," which shall read as follows:

"Sec. 42-a. Whenever an ordinance provides for the making of a local im-
2 provement which comprises both the construction of an improvement and the tak-
3 ing or damaging of property therefor, and proceedings have heretofore been
4 or shall hereafter be instituted under this Act for the confirmation of a special
5 assessment or a special tax to defray the whole or any portion of the cost of
6 such improvement, including the cost of the construction thereof and the com-
7 pensation for the taking or damaging of property therefor, it shall be lawful

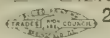
8 to provide by the ordinance for such local improvement or by an ordinance
9 passed at any time before the confirmation of the assessment roll, that the ag-
10 gregate amount assessed and each individual assessment and also the assess-
11 ment against the municipality on account of property owned by the municipality
12 and for public benefits, be divided into installments not more than ten (10) in
13 number, as follows: So much of the aggregate amount assessed as represents
14 the cost of the construction of the improvement shall be divided into
14½ as many parts as there are installments, which parts shall be equal in
15 amount and each a multiple of one hundred dollars, except that any fractional
16 amounts of such cost of construction after division as aforesaid shall be appor-
17 tioned to the first installment; so much of the aggregate amount assessed as
18 represents the compensation for property to be taken or damaged, together with
19 the cost of making and collecting the special assessment or special tax (in the
20 case of such municipalities as may lawfully include such cost in special assess-
21 ment or special tax proceedings) shall be apportioned to the first installment
22 of the special assessment or special tax.

23 Within thirty (30) days after the entry of judgment of confirmation in such
24 proceeding, the clerk of the court in which such judgment is rendered
24½ shall certify the assessment role and judgment to the officer of the
25 city, village or town authorized to collect such special assessment or tax; or,
26 if there has been an appeal or writ of error taken on any part of such judg-
27 ment, then he shall certify such part of the judgment as is not included in such
28 appeal or writ of error, and such certification shall be filed by the officer receiv-
29 ing the same, in his office. With such assessment roll and judgment the clerk
30 of such court shall also issue and deliver a warrant for the collection of such
31 assessment or tax. Upon the delivery of such warrant to the aforesaid officer
32 the first installment of such assessment or tax shall become and be immediately
33 due and payable; the second installment of such assessment or tax shall be due
34 and payable on the second day of January next after the date of the first vouch-
35 er issued on account of work done, if the uncollected portion of the first install-

ment shall have been returned delinquent to the authorized county officer as provided in this act but if the same shall not have been so returned delinquent, then said second installment shall be due and payable one (1) year after said second day of January. The third and subsequent installments shall be due and payable respectively at successive annual periods after such second installment becomes due and payable. All installments shall bear interest until paid at the rate of five (5) per cent per annum. Interest on the first installment shall begin to run from the date when such first installment becomes due and payable, and interest on all subsequent installments shall begin to run from the date of the first voucher issued on account of work done. Interest on such first installment shall be due and payable and shall be collected at the same time as such first installment. Interest on the second and subsequent installments shall be due and payable and shall be collected with the installments respectively, as in this Act provided.

Such special assessment or special tax shall be collected in the manner prescribed in this Act for other special assessments and special taxes, except that the collection of the first installment of such special assessment or special tax, or any part thereof, may be enforced if necessary by the sale of the property against which the same is levied, notwithstanding that the improvement for which the same is levied may not have been completed.

The provisions of this section shall apply only to proceedings for a special assessment or special tax to defray the cost of a local improvement which comprises both the construction of an improvement and the taking or damaging of property therefor, and such proceedings shall also be governed by the other sections of this Act, so far as the same are applicable thereto, and not inconsistent with the provisions of this section."



- 1 Introduced by Mr. Atwood, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to authorize the Illinois Park Commission to purchase certain lands and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That the Illinois Park Commission be and is hereby authorized to purchase and take the title in the name of the State of Illinois in accordance with the provisions of an Act entitled, "An Act in relation to the acquisition, control, maintenance, improvements and protection of State parks and making an appropriation to carry into effect the provisions of this Act," approved June 10, 1911, in force July 1, 1911, real estate described as follows:

Commencing at the southeast corner of the west half ($W\frac{1}{2}$) of the southeast quarter ($SE\frac{1}{4}$) of section nine (9), in township twenty-three (23) north, range nine (9) east of the fourth principal meridian, and extending thence north to the south line of the right of way of the Chicago, Burlington & Quincy Railroad company; thence westerly along the south line of said right of way to a point eighty (80) rods west of the west line of said section nine (9); thence south,

15 parallel with the west line of said section nine (9) to the south line of section
16 eight (8), in said township and range, and thence East along the south line
17 of said sections eight (8) and nine (9) to the place of beginning, containing
18 about four hundred (400) acres, all situated in the county of Ogle and State of
19 Illinois, known as "The White Pine Forest."

Sec. 2. The sum of fifty thousand (50,000) dollars or so much thereof as
2 shall be necessary is hereby appropriated for the purchase of said real estate
3 and the auditor of public accounts is hereby authorized and directed to draw his
4 warrants upon the State Treasurer payable to the Illinois Park Commission
5 upon vouchers signed by the president and secretary of said commission and
6 approved by the Governor and the State Treasurer is hereby authorized and
7 directed to pay the same out of any funds in the State treasury not otherwise
8 appropriated.



- 1 Introduced by Mr. Buxton, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

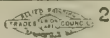
A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to coroners," approved February 6, 1874, in force July 1, 1874, as amended by subsequent Acts, by amending section ten (10) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to revise the law in relation to coroners," approved February 6, 1874, in force July 1, 1874, as amended by subsequent Acts, be and the same is hereby amended by amending section ten (10) thereof, so that said section when amended shall read as follows:

Sec. 10. Every coroner, whenever and as soon as he knows or is informed that the dead body of any person is found, or lying within his county, supposed to have come to his or her death by violence, casualty or any undue means, he shall repair to the place where the dead body is, and take charge of the same and forthwith summon a jury of six good and lawful men of the neighborhood where the body is found or lying, to assemble at the place where

13 the body is at such time as he shall direct, and upon view of the body, to in-
14 quire into the cause and manner of the death. Where, however, after said jury
15 has viewed said body and the inquest has been continued by the coroner to a
16 future date, and some of said jurors, not exceeding three, fail to appear at
17 said inquest because of death, moving from State, or other sufficient reasons, it
18 shall be lawful for the coroner in such case to fill said vacancy or vacancies
19 with good and lawful men of the same neighborhood. It shall not be necessary
20 in such case to exhume the body in order that it may be viewed by said sub-
21 stituted jurors: *Provided, that in counties of the first and second class inquests*
22 *shall be held only when the coroner knows or is informed that the dead body of*
23 *any person is found, or is lying within his county, and that such person is sup-*
24 *posed to have come to his or her death by homicide, suicide or other criminal*
25 *means, and in cases where the State's Attorney shall deem the holding of an*
26 *inquest necessary and shall so advise the coroner in writing.*



- 1 Introduced by Mr. Vursell (by request), April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act regulating the contract of voluntary relief societies between the society
and its members.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* Any person, association, or persons, or
3 corporations that has, or shall hereafter have, a relief department for the bene-
4 fit of their or its employees or which shall contribute any money or other
5 thing of value to any relief society or association for the benefit of their or its
6 employees to which such employee may also contribute any money, or other
7 thing of value, shall not be relieved of liability to such employee or in the case
8 of his death to any person authorized by law to sue for such death, for the
9 negligent injury or killing of such employee because such employee may have
10 been a member of or contributed to any such relief department, or received
11 benefits therefrom, but such employee, and in case of his death, any person or
12 persons authorized by law to sue for such death, shall be entitled to demand,
13 sue for and recover any benefits that such employee may have been entitled
14 to receive by reason of having been a member of or contributed to any such re-
15 lief department, society or association, and such employee, and in case of his

16 death, any person authorized by law to sue for such death, shall be entitled
17 to institute suit against any such person, association, or persons or corpora-
18 tions, and to recover for any injury suffered by such employee and for the death
19 of such employee, suffered through the negligence of such person, association
20 of persons, or corporations, and any contract, stipulation or provision in viola-
21 tion of this Act, is hereby declared to be null and void.



- 1 Introduced by Mr. Holaday, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Farm Drainage.

A BILL

For an Act to amend section 76 of an Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named, approved June 27, 1885, in force July 1, 1885, as amended by an Act approved May 18, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 76 of an Act to provide for drainage for agricultural and sanitary purposes, and to repeal certain Acts therein named, approved June 27, 1885, in force July 1, 1885, as amended by Act approved May 18, 1905, in force July 1, 1905, be and the same is hereby amended so as to read as follows:

Sec. 76. Where two or more parties owning adjoining lands which require a system of combined drainage, have by voluntary action constructed ditches which form a continuous line, or line and branches, the several parties shall be liable for their just proportion of such repairs and improvements as may be needed therefor, the amount to be determined, as near as may be, on the same

12 principle as if these ditches were in an organized district. Whenever such re-
13 pairs and improvements are not made by voluntary agreement, any one or more
14 owning parts of such ditch shall be competent to petition for the formation of
15 a drainage district to include the lands interested in maintaining these ditches.
16 The petitioner or petitioners for the formation of such district must show to the
17 satisfaction of the court that his or their land is damaged through lack of
18 proper repairs or improvements to said ditch or drain. *The form of procedure*
19 *and the conditions heretofore prescribed in this Act shall be observed as near as*
20 *practicable, excepting that the petition shall be filed in the county court, and all*
21 *proceedings therein shall be as near as practicable as are provided in this Act*
22 *for the organization of what is known as special drainage districts; but the*
23 ditches shall be taken as a dedication of the right of way, and their construc-
24 tion and joining as the consent of the several parties to be united in a drainage
25 district. These ditches, if open, shall be made tile drains when practicable.

- 1 Introduced by Mr. O'Rourke, April 14, 1915.
2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

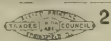
For an Act to amend section 56 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 56 of an Act entitled, "An
3 Act concerning local improvements, approved June 14, 1897, in force July 1,
4 1897 as amended by an Act approved and in force May 9, 1901," be and the
5 same is hereby amended so as to read as follows:

Sec. 56. EFFECT OF JUDGMENT.] Judgments of the court shall be final as to
2 all the issues involved, and the proceedings in said cause shall be subject to re-
3 view by appeal or writ of error as hereinafter provided, and not otherwise:
4 *Provided, however,* that by mutual consent the same may be vacated or modified
5 at a subsequent term, except as hereinafter provided.

6 Such judgments shall have the effect of several judgments as to each parcel
7 of land assessed, and no appeal from any such judgment or writ of error shall
8 invalidate or delay the judgments, except as to the property concerning which

9 the appeal or writ of error is taken. Such judgments shall be a lien upon the
10 property assessed from the date thereof, to the same extent and of equal force
11 and validity as a lien for general taxes, for a period of five years, if such as-
12 sessment is payable in a single sum; if payable by installments, then until five
13 years after the last installment comes due. Nothing in this section contained
14 shall interfere with the right of the petitioner *to repeal the ordinance for such*
15 *improvement and in that event* to dismiss its proceedings, and to vacate such
16 judgment at its election at any time before commencing the actual collection of
17 such assessment.



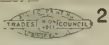
- 1 Introduced by Mr. Flagg, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.

A BILL

For an Act to permit any insurance corporation, company, association or other organization authorized to do an insurance business in this State to deposit securities with the Insurance Superintendent of the State of Illinois, to substitute other securities therefor, and to authorize the Insurance Superintendent of the State of Illinois to certify to such deposits.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any insurance corporation, com-
3 pany, association or other organization authorized to do an insurance business
4 in this State may deposit with the Insurance Superintendent of the State of
5 Illinois, in addition to any deposits now authorized or required to be made, se-
6 curities of such character as are lawful investments of the corporation, com-
7 pany, association or other organization, not less, however, than the aggregate
8 amount of twenty-five thousand dollars, in current market value, and the Insur-
9 ance Superintendent shall receive such securities and hold the same in trust
10 for the equal benefit and protection of all the policyholders or members of such
11 corporation, company, association or other organization, and so long as such cor-
12 poration, company, association or other organization shall continue solvent, he

13 shall permit it to collect the interest or dividends thereon, and from time to time
14 withdraw such securities or any part thereof, on depositing with the Insurance
15 Superintendent other securities of like character and of equal value to those
16 withdrawn, and upon request of the corporation, company, association or other
17 organization so depositing, the Insurance Superintendent shall certify to the
18 same under the seal of his office.



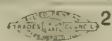
- 1 Introduced by Mr. Vickers, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act to compel all railroads in the State of Illinois to equip their engines with storm windows so that the men operating said engines shall have an unobstructed view in all kinds of weather, and providing penalty for violations of same.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That all corporations, associations, companies, firms or persons, owning or operating locomotive engines in this State shall provide and equip said locomotive engines with storm windows in both front windows in the cabs of said engines, so that the persons in charge or operating the same shall at all time have an unobstructed view through the same, under all climatic conditions, and to be so constructed as to prevent the view being obstructed by rain, snow or ice adhering thereto.

Sec. 2. Every corporation, association, company, firm or person who violates any of the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not less than five dollars (\$5.00) nor more than five hundred dollars (\$500.00) for each offense so committed.



- 1 Introduced by Mr. G. H. Wilson, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

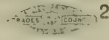
For an Act to appropriate money for the payment of past due and unpaid salary of James B. Smith, late warden of the Illinois Southern Penitentiary.

WHEREAS, There is justly due James B. Smith, late warden of the Illinois
2 Southern Penitentiary, the sum of eighteen hundred thirty-three and one-third
3 (\$1833 1-3) dollars as a balance of salary as warden of Illinois Southern Peni-
4 tentiary, and there is no appropriation from which the same may be lawfully
5 paid; therefore,

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of eighteen hundred thirty-
3 three and one-third (\$1833 1-3) dollars be, and the same is hereby appropriated

4 from the State treasury for the payment of past due and unpaid salary to James
5 B. Smith, as late warden of the Illinois Southern Penitentiary at Chester, from
6 any moneys in the State treasury of the State of Illinois not otherwise appro-
7 priated.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw a warrant in favor of the said James B. Smith for the sum hereby ap-
3 propriated to him, and the State Treasurer of the State of Illinois is authorized
4 and directed to pay said warrant upon presentation.



- 1 Introduced by Mr. Tompkins, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to make an appropriation to provide for emergency expenditures at the Joliet penitentiary, to cover deficit in ordinary expenses caused by increase in population, and to rehabilitate industrial plant and procure materials to take the place of those destroyed by fire.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the following sums or as much
3 thereof as may be necessary be and the same are hereby appropriated for the
4 purpose of meeting emergency expenditures made necessary by the increase in
5 population and by fire losses at the Joliet penitentiary for the fiscal year 1915:
6 For ordinary expenses to cover increase in population, to-wit:
7 As the appropriations for the years 1913 and 1914 were
8 based upon a daily average of population of fourteen
9 hundred prisoners at an annual cost of \$187.20 per
10 prisoner, and where the daily average count has stead-
11 ily increased until it has reached eighteen hundred and
12 twenty prisoners, therefore on this basis it will cost to

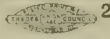
13 maintain the Joliet penitentiary for the year 1915 the
14 sum of\$340,000.00
15 Amount appropriated was..... 265,000.00
16 _____ \$75,000.00

17 To rehabilitate the industrial plant, and supply mate-
18 rials to replace same lost by fire, to-wit:
19 For the fire of June 3rd, 1914, for materials and manufac-
20 tured stock totally destroyed; machinery and equipment
21 damaged beyond repair, and damages to buildings, the
22 sum of\$ 15,000.00
23 For the fire of December 21st, 1914, for materials and
24 manufactured stock totally destroyed; machinery and
25 equipment damaged beyond repair, and damages to
26 buildings, the sum of..... 35,000.00
27 _____ \$50,000.00

28 Total, one hundred and twenty-five thousand (\$125,000.00) dollars.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 upon the presentation of proper vouchers certified to by the commissioners of
3 the Illinois State penitentiary to draw his warrants on the State Treasurer for
4 the sums herein appropriated, and the State Treasurer is hereby authorized and
5 directed to pay the sums out of any moneys in the State treasury not otherwise
6 appropriated.

Sec. 3. WHEREAS, Said sums are immediately required; therefore, an emer-
2 gency exists, and this Act shall take effect from and after its passage and
3 approval.



- 1 Introduced by Mr. Burns, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

For an Act to amend section 2 of an Act entitled, "An Act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as amended by an Act approved March 29, 1905, in force July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1, 1909, *as amended by an Act approved May 20, 1913, in force July 1, 1913.*

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 2 of an Act entitled, "An
3 Act concerning the levy and extension of taxes," approved May 9, 1901, in
4 force July 1, 1901, as amended by an Act approved March 29, 1905, in force
5 July 1, 1905, as amended by an Act approved June 14, 1909, in force July 1,
6 1909, *as amended by an Act approved May 20, 1913, in force July 1, 1913,* be and
7 the same is hereby amended to read as follows:

8 Sec. 2. The county clerk in each county shall ascertain the rates per cent
9 required to be extended upon the assessed valuation of the taxable property
10 in the respective towns, townships, districts, incorporated cities and villages in
11 his county, as equalized by the State Board of Equalization for the current
12 year, to produce the several amounts certified for extension by the taxing au-
13 thorities in said county (as the same shall have been reduced as hereinbefore
14 provided in all cases where the original amounts exceed the amount authorized
15 by law): *Provided, however*, that if the aggregate of all the taxes (exclusive of
16 State taxes, village taxes, levee taxes, *public tuberculosis sanitarium taxes*,
17 school building taxes, high school taxes, district school taxes and all other
18 school taxes in school districts having not more than 100,000 inhabitants, road
19 and bridge taxes, and for a period of *five* years beginning with the year 1915
20 taxes levied for the payment of the principal of and the interest on bonded in-
21 debtedness of cities, and exclusive of taxes levied pursuant to the mandate or
22 judgment of any court of record on any bonded indebtedness), certified to be ex-
23 tended against any property in any part of any taxing district or municipality,
24 shall exceed three per cent of the assessed valuation thereof upon which the
25 taxes are required to be extended, the rate per cent of the tax levy of such tax-
26 ing district or municipality shall be reduced as follows: The county clerk shall
27 reduce the rate per cent of the tax levy of such taxing district or municipality
28 in the same proportion in which it would be necessary to reduce the highest ag-
29 gregate per cent of all the tax levies (exclusive of State taxes, village taxes,
30 levee taxes, *public tuberculosis sanitarium taxes*, school building taxes, high
31 school taxes, district school taxes and all other school taxes in school districts
32 having not more than 100,000 inhabitants, road and bridge taxes, and for a
33 period of *five* years beginning with the year 1915 taxes levied for the payment
34 of the principal of and the interest on bonded indebtedness of cities, and ex-
35 clusive of taxes levied pursuant to the mandate or judgment of any court of
36 record on any bonded indebtedness), certified for extension upon any of the tax-
37 able property in said taxing district or municipality, to bring the same down to

three per cent of the assessed value of said taxable property upon which said taxes are required by law to be extended: *Provided, further*, that in reducing tax levies hereunder the rate per cent of the tax levy for county purposes in counties having a population of over 300,000 shall not be reduced below a rate of forty cents on each one hundred dollars assessed value (*exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments*), and in counties having a population of less than 300,000 the rate of the tax levy for county purposes shall not be reduced below a rate of forty-five cents on each one hundred dollars assessed value (*exclusive of levies to pay the principal of and interest on bonded indebtedness and judgments*), and the rate per cent of the tax levy for city or village purposes (*exclusive of library, public tuberculosis sanitarium, school and park purposes and for a period of five years beginning with the year 1915, exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness and judgments*), in cities and villages having a population of over 150,000 shall not be reduced below a rate of one dollar and ten cents on each one hundred dollars assessed value, and the rate per cent of the school tax for educational purposes shall not be reduced below a rate of one dollar and *twenty* cents on each one hundred dollars assessed value, and the rate per cent of the tax levy for city or village purposes (*exclusive of library, school and park purposes, and exclusive of the taxes levied for the payment of the principal of and the interest on bonded indebtedness and judgments*) in cities and villages having a population of less than 150,000, shall not be reduced below a rate of one dollar and twenty cents on each one hundred dollars assessed value, and the rate per cent of the school tax levy for educational purposes shall not be reduced below a rate of one dollar and fifty cents on each one hundred dollars assessed value, but the other taxes which are subject to reduction under this section shall be subject only to such reduction, respectively, as would be made therein under this section if this proviso were not inserted herein: *And provided, further*, in reducing tax levies hereunder, all school taxes levied in cities exceeding 150,000 inhabitants, with the exception of

68 the levy for school building purposes, shall be included in the taxes to be re-
69 duced.

70 The rate per cent of the tax levy of every county, city, village, town, town-
71 ship, park district, sanitary district, road district, and other public authorities
72 (except the State), shall be ascertained and determined (and reduced when nec-
73 essary as above provided) in the manner hereinbefore specified, and shall then
74 be extended by the county clerk upon the assessed value of the property subject
75 thereto (being one-third of the full value thereof) as equalized according to
76 law. In reducing the rate per cent of any tax levy, as hereinbefore provided,
77 the rates per cent of all tax levies certified to the county clerk for extension as
78 originally ascertained and determined under section one of this Act, shall be used
79 in ascertaining the aggregate of all taxes certified to be extended without re-
80 gard to any reduction made therein under this section: *Provided*, that no reduc-
81 tion of any tax levy made hereunder shall diminish any amount appropriated by
82 corporate or taxing authorities for the payment of the principal or interest on
83 bonded debt, or levied pursuant to the mandate or judgment of any court of
84 record. And to that end every such taxing body shall certify to the county
85 clerk, with its tax levy, the amount thereof required for any such purposes.

86 In case of a reduction hereunder any taxing body whose levy is affected
87 thereby and whose appropriations are required by law to be itemized, may, after
88 the same have been ascertained, distribute the amount of such reduction among
89 the items of its appropriations, with the exceptions aforesaid, as it may elect.
90 If no such election be made within three months after the extension of such tax,
91 all such items, except as above specified, shall be deemed to be reduced pro
92 rata.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 687

1915



2

1 Adopted May 4, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 687, as printed, by striking out the words “forty-
2 five” in line 45 on page 3 of said bill and inserting in place of same the words
3 “fifty-five.”



1 Introduced by Mr. Carl Green, April 14, 1915.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to protect turnpike, gravel or macadam roads, and to provide a penalty
for its violation.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That it shall be unlawful for any person

3 to haul over any turnpike, gravel or macadam road at any time when, by reason

4 of thawing or wet weather, it is in condition to be cut up and injured by heavy

5 hauling, a load on any vehicle with tires less than three inches in width, the

6 combined weight of which load and vehicle, including driver, shall be more than

7 twenty-five hundred pounds, or on any vehicle with tires of three inches and

8 less than four inches in width, the combined weight of which load, vehicle and

9 driver shall be more than three thousand pounds; or on any vehicle with tires

10 of four inches and less than five inches in width, the combined weight of which

11 load, vehicle and driver shall be more than thirty-five hundred pounds; or any

12 vehicle with tires five inches or over in width, the combined weight of which load,

13 vehicle and driver shall be more than forty-five hundred pounds.

Sec. 2. Any person violating any provision of section one of this Act shall,

2 on conviction, be fined not to exceed fifty dollars for each load so hauled.



- 1 Introduced by Mr. Purdunn, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

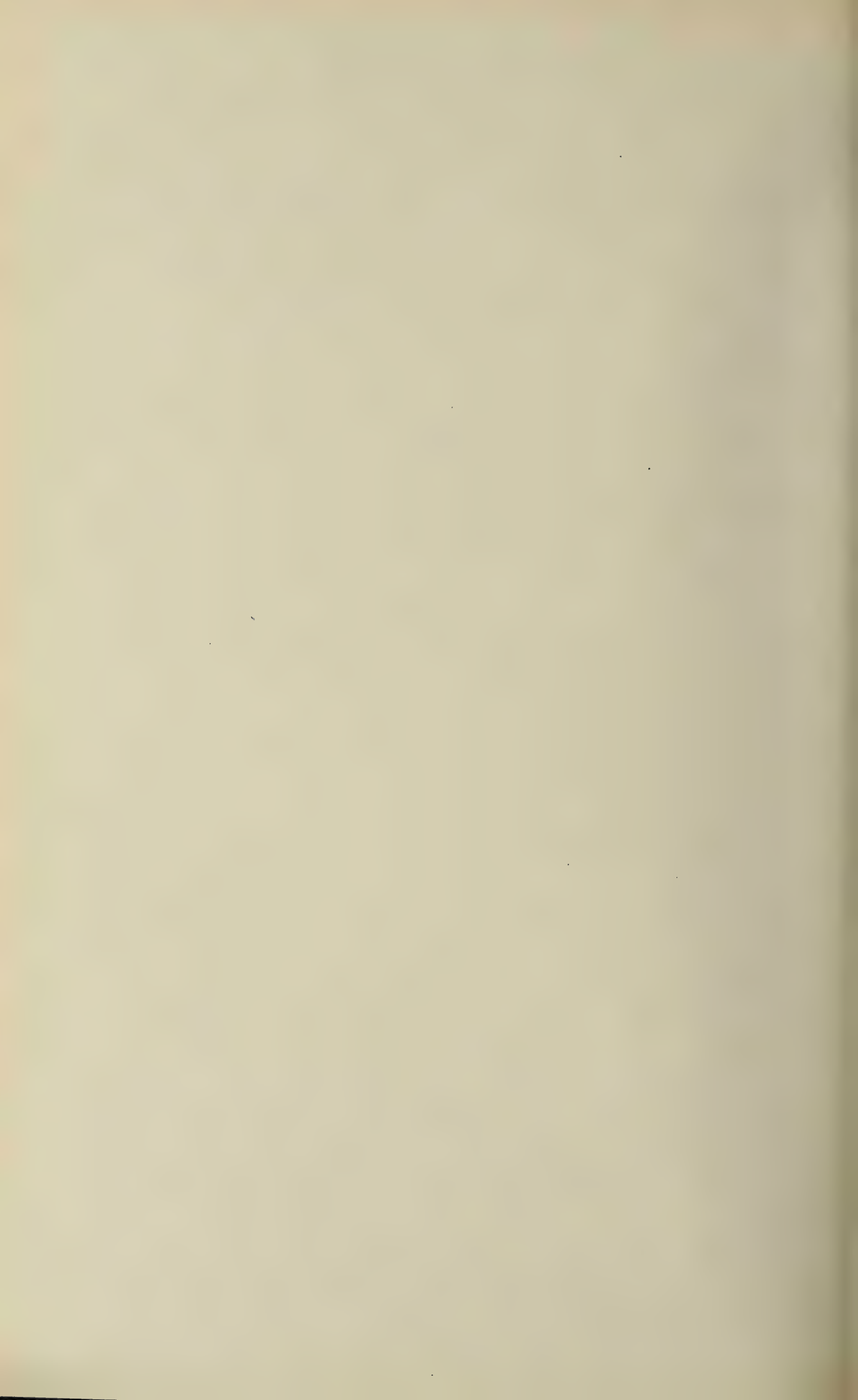
A BILL

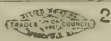
For an Act concerning steam railroads defining persons having the right to issue or take orders governing the movement of trains, except in certain cases, and prescribing penalties.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That no person shall be allowed to give
3 or take orders by telegraph, or over telephone, that provides for the movement
4 of trains upon the railroads from one station to another, unless such person
5 has had at least one year's experience in station or tower, as telegrapher or
6 telephoner handling the movement of trains.

Sec. 2. Any railroad company that causes or permits any person or persons
2 to violate any of the provisions of this Act shall be guilty of a misdemeanor, and
3 upon conviction shall be fined in any sum not less than one hundred dollars, nor
4 more than five hundred dollars for each offense, and such railroad company shall
5 be liable for any damages caused by the violation of any of the provisions of this
6 Act.

Sec. 3. It shall be the duty of the Public Utilities Commission to enforce
2 the provisions of this Act.





- 1 Introduced by Mr. Leech, April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act regulating the liability of railroad companies to their employees.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all railway, railroad companies or
3 corporations, receiver or receivers of any railway or railroad corporations, or
4 anybody controlling any railroad or railway within the State of Illinois shall be
5 liable in damages to any person suffering injury while he is employed on any
6 railway or railroad or in case of the death of such employee to his or her per-
7 sonal representative, for the benefit of the surviving widow or husband and
8 child or children of such employee, and if none then of such employees' pa-
9 rents; and if none then to the next of kin dependent upon such employee, for
10 such injury or death resulting in whole or in part from the negligence of the
11 officers, agents, or employees of such railway or railroad corporation or by
12 reason of any defect or insufficiency due to its or their negligence, in its cars,
13 engines, appliances, machinery, track, road bed, or other equipments.

Sec. 2. All actions hereinafter brought against any railway or railroad corporation, receiver or receivers of any railway or railroad corporation or any person operating any railway or railroad within the State of Illinois, under or by virtue of any of the provisions of this Act to recover damages for personal injuries to any employee, or where such injuries have resulted in his death, the fact that the employee may have been guilty of contributory negligence shall not bar a recovery, but the damages shall be diminished by the jury in proportion to the amount of negligence attributable to such employee: *Provided*, that no such employee who may be injured or killed shall be held to have been guilty of contributory negligence in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Sec. 3. In any action brought against any railway, railroad companies or corporations, receiver or receivers of any railway or railroad corporation, or anybody controlling any railroad within the State of Illinois, under and by virtue of any of the provisions of this Act shall recover damages for injuries to, or the death of, any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where the violation by such railway, railroad companies or corporations, receiver or receivers of any railway or railroad corporation, or anybody controlling any railroad within the State of Illinois, of any statute enacted for the safety of employees contributed to the injury or death of such employee.

Sec. 4. Any contract, rule, regulation, or device whatsoever, the purpose or intent of which shall be to enable any railway, railroad companies or corporations, receiver or receivers of any railway or railroad corporation, or any body controlling any railroad within the State of Illinois, to exempt itself from any liability created by this Act, shall to that extent be void.



1 Introduced by Mr. Provine, April 14, 1915.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

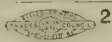
For an Act to amend paragraph D of section 5 and section 6 of an Act entitled, "An Act to establish a joint legislative reference bureau and to define the powers and duties thereof," approved June 26, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That paragraph D of section 5 and section 6 of an Act entitled, "An Act to establish a joint legislative reference bureau and to define the powers and duties thereof," approved June 26, 1913, in force July 1, 1913, be and the same are hereby amended to read as follows:

Sec. 5D. To cause to be prepared under the direction of the Governor and printed and distributed for the use of the members of the General Assembly a detailed budget of the appropriations which the Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney-General, Superintendent of Public Instruction, Clerk of the Supreme Court and clerks of the appellate courts and the officers of the several departments of the State Government report to it are required for their several departments for the biennium for

8 which appropriations are to be made by the next General Assembly, together
9 with a comparative statement of the sums appropriated by the preceding General
10 Assembly for the same purposes.

Sec. 6. The officers of the several departments of the State Government
2 Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney-
3 General, Superintendent of Public Instruction, Clerk of the Supreme Court and
4 clerks of the appellate courts shall make reports to the Governor by the first
5 day of October next preceding the convening of the next regular session of the
6 General Assembly of the appropriations which are required for their respective
7 departments for the biennium for which appropriations are to be made by such
8 General Assembly. The Governor, shall, at the convening of the next General
9 Assembly transmit to said body such detailed budget, together with his recom-
10 mendations thereon and his estimates of the amount of money required to be
11 raised by taxation for all purposes.



- 1 Introduced by Mr. Dudgeon (by request), April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the State Board of Agriculture to be used in the construction of improvements on the State Fair Grounds.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
- 2 *represented in the General Assembly:* That the sum of ninety-one thousand two
- 3 hundred (\$91,200) dollars, or so much thereof as may be necessary, out of the
- 4 treasury not otherwise appropriated, be and the same is hereby appropriated to
- 5 the State Board of Agriculture for the construction of permanent buildings and
- 6 permanent improvements for the State Fair, viz: .
- 7 For four (4) cattle barns, twenty thousand (\$20,000) dollars.
- 8 For construction of fire escapes to Exposition Building to comply with order
- 9 of State Fire Marshal, and other improvements in said building, twenty-five
- 10 hundred (\$2,500) dollars.
- 11 For construction of a sanitary kitchen and toilets for Boys' State Fair
- 12 School, five thousand (\$5,000) dollars.
- 13 For construction of permanent and sanitary eating houses to comply with
- 14 requirements of the State Board of Health, ten thousand (\$10,000) dollars.

15 For construction of a children's nursery and playground, with appurten-
16 ances, twelve hundred (\$1,200) dollars.

17 For construction of a free grand stand, twenty thousand (\$20,000) dollars.

18 For reconstruction of the seating capacity of the Coliseum Building, five
19 thousand (\$5,000) dollars.

20 For construction of a subway under race track and lowering infield for
21 parking automobiles, twenty-five thousand (\$25,000) dollars.

22 For construction of a sewer to be used jointly by the State Fair and the
23 City of Springfield, as per agreement with the City Commissioners, twenty-five
24 hundred (\$2,500.00) dollars.

Sec. 2. That on the order of the president, countersigned by the Secretary
2 of the State Board of Agriculture, and approved by the Governor, the Auditor
3 of Public Accounts shall draw his warrant upon the State Treasurer in favor
4 of the treasurer of the Illinois State Board of Agriculture for the sums herein
5 appropriated: *Provided*, that all of said money shall be paid in installments
6 from time to time as the same shall be needed to pay for the improvements au-
7 thorized by this Act, and on vouchers to be approved by the Governor.



1 Introduced by Mr. Smejkal (by request), April 14, 1915.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for completing the installation of two (2)
electric passenger elevators in the Capitol Building at Springfield.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of five thousand (5,000)
3 dollars, or so much thereof as may be necessary, be, and the same is hereby
4 appropriated for completing the installation of two (2) electric passenger ele-
5 vators in the Capitol Building at Springfield, under the direction of the Secre-
6 tary of State.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants upon the State Treasurer for the moneys herein appro-
3 priated upon presentation of vouchers certified to by the Secretary of State,
4 and approved by the Governor, and the State Treasurer is hereby directed to
5 pay the same out of any moneys in the treasury not otherwise appropriated.

Sec. 3. Whereas, an emergency exists, therefore this Act shall take effect
2 and be in force from and after its passage and approval.



- 1 Introduced by Mr. Smejkal (by request), April 14, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

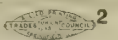
A BILL

For an Act to provide for the installation and extension of equipment in the light, heat and power plant and in the Capitol building at Springfield, Illinois, and making an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum of one hundred and forty
3 thousand dollars (\$140,000.00) be and hereby is appropriated for the installa-
4 tion and extension of equipment in the light, heat and power plant and in the
5 Capitol building at Springfield, Illinois, under the direction of the Secretary
6 of State.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrants upon the State Treasurer for the funds hereby appro-
3 priated, upon the filing of bills of particulars certified to by the Secretary of
4 State and approved by the Governor; and the State Treasurer is hereby author-
5 ized and directed to pay the same out of any moneys in the State treasury not
6 otherwise appropriated.

Sec. 2. Whereas, the appropriation hereinbefore provided is absolutely
2 necessary to place said plant and capitol building in operative efficiency at the
3 earliest possible time, therefore an emergency exists and this Act shall take
4 effect and be in force from and after its passage and approval.



1 Introduced by Committee on Judiciary, April 15, 1915.

2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act to amend an Act entitled, "An Act in regard to limitations," approved April 4, 1872, in force July 1, 1872, as amended by subsequent Acts and adding an additional section thereto to be known as section 11½.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act in regard
3 to limitations," approved April 4, 1872, in force July 1, 1872, as amended by
4 subsequent Acts be and the same is hereby amended by adding thereto a new
5 section to be known as section 11½ to read as follows:

6 Sec. 11½. That every mortgage or trust deed in the nature of a mortgage
7 of record at the time this Act takes effect where more than twenty (20) years
8 have elapsed from and after the time the indebtedness secured thereby is due
9 upon its face and according to its written terms as shown by said mortgage or
10 trust deed in the nature of a mortgage, or according to any extension agreement
11 on record at the time this Act takes effect, the lien of said mortgage or trust
12 deed in the nature of a mortgage shall and hereby is declared to have ceased

13 by limitation unless the owner and holder of the indebtedness secured thereby
14 and the then owner of the real estate shall within two (2) years from and after
15 the time this Act goes into effect file in the office of the recorder where said
16 mortgage or trust deed in the nature of a mortgage is recorded, an extension
17 agreement showing in said extension agreement the time for which the payment
18 of said indebtedness is extended, the time when the said indebtedness will be-
19 come due by the terms of said extension agreement and the amount remaining
20 unpaid on said indebtedness, then said mortgage or trust deed in the nature
21 of a mortgage shall continue a lien upon the real estate described therein for a
22 period of ten years (10) from and after the time said indebtedness will be due
23 as shown by said extension agreement and no longer, unless some further exten-
24 sion agreement shall be filed of record. Such extension agreements shall be
25 acknowledged and recorded in the same manner as mortgages and trust deeds
26 in the nature of a mortgage are required by law to be acknowledged and re-
27 corded.



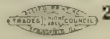
1 Adopted April 23, 1915.

AMENDMENT NO. 1.

Amenl House Bill No. 695, as printed, by inserting in line six after the
2 word "that" the words "the lien of" and by striking out in lines 11 and 12
3 the words: "the lien of said mortgage or trust deed in the nature of a mort-
4 gage."

AMENDMENT NO. 2.

Amend House Bill No. 695, as printed, by striking out in line 14 the words
2 and figures "two (2)" and substituting in lieu thereof the words and figures:
3 "five (5)."



- 1 Introduced by Committee on Roads and Bridges, April 15, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act to authorize townships or road districts to borrow money, and issue bonds therefor, with which to pay all indebtedness heretofore incurred by the highway commissioners of such townships or districts in repairing or rebuilding roads or bridges within such townships or districts and to provide for the payment of such bonds by appropriate taxation.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
1 *represented in the General Assembly:* That, in case the highway commissioners
2 of any township or road district in the State of Illinois have heretofore caused
3 all money raised by general and special taxation for road purposes to be ex-
4 pended for such purposes, and in addition thereto have borrowed money and
5 expended the same for building, repairing and maintaining the road and
6 bridges in such township or road district, and such indebtedness has not been
7 paid by such township or district, and no funds are lawfully available to pay
8 the same, then and in that case such township or road district is hereby author-
9 ized and empowered to assume and pay such indebtedness in the following man-

11 ner: The highway commissioners of such township or district shall call a
 12 special township or district election to vote on the proposition, which shall be
 13 clearly stated in the petition substantially as follows: "to borrow.....
 14 dollars to pay indebtedness incurred by highway commissioners for road pur-
 15 poses." Upon determining to call such election, the highway commissioners
 16 shall order the town or district clerk, by an instrument in writing to be signed
 17 by them, to post up, in ten of the most public places in said township or dis-
 18 trict, notices of such special township or district meeting; which notices shall
 19 state the object, time and place of meeting, the sum to be borrowed to pay
 20 such indebtedness and the manner in which the voting is to be had, which shall
 21 invariably be by ballot, and shall be "for borrowing money to pay indebted-
 22 ness incurred by highway commissioners for road purposes," or "against bor-
 23 rowing money to pay indebtedness incurred by highway commissioners for road
 24 purposes." The special township or district election shall be held at the place
 25 of the last township or district meeting or election by giving at least ten days'
 26 notice, and the returns thereof made in the same manner as other special town-
 27 ship or district elections are now, or may hereafter be provided by law; and
 28 if it shall appear that a majority of two-thirds of the legal voters voting at said
 29 election shall be in favor of such proposition, the said commissioners of high-
 30 ways and town or district clerk, as the case may be, shall issue the bonds of
 31 said township or district for the purpose of assuming and paying such indebted-
 32 ness in the manner provided in section 2 of this Act.

Sec. 2. The bonds to be issued in pursuance to section 1 of this Act shall
 2 be of such denomination, bearing such rate of interest not exceeding six per
 3 cent, upon such time, not exceeding twenty years from the date of issuing said
 4 bonds, and shall be disposed of as the necessity and convenience of said town-
 5 ship or district officers require, but no bonds shall be sold or disposed of for
 6 less than their par value. A register of any bonds so issued shall be kept in
 7 the office of the county clerk of the county in which said township or district

8 is located, showing the date, amount, rate of interest, maturity and the purpose
9 for which said bonds were issued, which information shall be furnished to the
10 county clerk, in writing, by the town or district clerk, and it shall be the duty
11 of such county clerk to extend annually, against the property in said township
12 or road district, a tax sufficient to pay the interest of said bonds in each year
13 prior to the maturity thereof, and thereafter he shall extend the tax in each
14 year sufficient to pay such bonds as they mature, together with interest thereon,
15 and with the interest upon the unmatured bonds outstanding.

Sec. 3. The amount of indebtedness incurred by such township or road dis-
2 trict in issuing the bonds above provided for in sections 1 and 2 of this Act, in-
3 cluding all existing indebtedness, if any, shall not, in the aggregate, exceed five
4 per cent on the value of the taxable property in such township or district, to be
5 ascertained by the last assessment for State and county taxes previous to the
6 incurring of such indebtedness.



- 1 Introduced by Committee on Education, April 15, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act in relation to uniformity of text-books in public schools and providing penalties for violation of the same.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That a school text-book commission, to
3 be known as the County Text-Book Commission, is hereby created in each county
4 of the State of Illinois; said commission to consist of the county superintendent
5 of schools, *ex officio* member; and four competent persons who are residents of
6 the county to be appointed as follows: One of said persons to be appointed by
7 the county superintendent of schools and three of said persons to be appointed by
8 the county judge: *Provided*, that in counties where the majority of inhabitants
9 reside within the limits of incorporated cities or villages of three thousand
10 (3,000) inhabitants or more, the three persons selected by the county judge
11 shall be selected from such cities or villages: *Provided, further*, that in all coun-
12 ties having a city containing a population of more than five hundred thousand
13 (500,000) inhabitants, such three persons selected by the county judge shall be
14 selected from that portion of the county lying outside of such city. The mem-

15 bers of said commission shall have been actively engaged, within three years
16 preceeding their appointment, in teaching and shall have had at least five years'
17 experience in school teaching or management. Employment as salesman for
18 any school text-book within a period of two years prior to appointment shall dis-
19 qualify any person from serving on such commission. Vacancies on said com-
20 mission shall be filled by the officer making the original appointment, or his suc-
21 cessor in office.

22 Said commission shall be created within thirty (30) days after this Act
23 shall go into effect and shall hold office until January 1, 1919, and thereafter
24 shall be appointed for a term of four years; said appointments made here-
25 under shall be filed in the office of the county clerk by the officers making said
26 appointments and within ten days after their appointment and before entering
27 upon their duties as members of the commission each member shall take and sub-
28 scribe an oath that he will diligently, honestly and impartially perform the
29 duties of his office; that he will not knowingly violate or permit to be violated
30 any of the provisions of this Act, which said oath shall be filed in the office of
31 the county clerk.

Sec. 2. The county text-book commission shall meet at the county seat to
2 organize, within sixty (60) days from the date of the taking effect of this Act.
3 The county superintendent shall be *ex officio* president of the commission, and
4 a secretary shall be elected from its own membership. Said commission shall
5 meet annually thereafter, and special meetings may be called by the president,
6 or on the written request of two members. The president shall preside at all
7 meetings of the commission, and the secretary shall keep the record of the meet-
8 ings. All contracts shall be signed by the president and attested by the secre-
9 tary. Members of said commission that do not receive an annual salary from
10 the county shall receive five (5) dollars per day for their services, with such ad-
11 ditional amount as shall be necessary to cover their actual traveling expenses:
12 *Provided*, that they shall receive pay for not to exceed six (6) days in any one

13 year, the same to be paid by the county when approved by the county superin-
14 tendent of schools.

Sec. 3. The secretary shall keep a correct record of all proceedings of the
2 commission. All votes shall be by yea and nay and shall be so noted in the
3 record. This record shall be kept in the office of the county superintendent of
4 schools.

Sec. 4. Said commission shall adopt from the authorized State list, as
2 hereinafter provided, uniform text-books in orthography, reading, writing, geo-
3 graphy, history, grammar, arithmetic, civics, history of Illinois, physiology,
4 drawing, music, agriculture, and in such other subjects that may be taught in
5 the public schools of the county, up to and including the eighth grade: *Pro-*
6 *vided, however,* that in cities having a population exceeding one hundred thou-
7 sand (100,000) inhabitants as shown by the last federal census, the board of edu-
8 cation of said cities shall select from the aforesaid list such books as in their
9 opinion are best suited to the local conditions and shall contract for the same as
10 provided herein; all adoptions by such cities must be from the lists filed in the
11 office of the Superintendent of Public Instruction as hereinafter provided. The
12 commission shall have power to adopt such maps, charts and globes as will be
13 best suited to the various needs of the county: *Provided,* that the publishers of
14 the same shall comply with such conditions as are imposed upon the publishers
15 of text books as provided by this Act: *And provided, further,* that nothing in
16 this Act shall be construed to prevent the commissions of two or more counties
17 from meeting in joint or separate session and selecting uniform text books for
18 such counties. When such commissions do meet in joint sessions they shall or-
19 ganize by selecting a temporary chairman and a secretary. All contracts en-
20 tered into by such joint session shall be signed by the presidents and secretaries
21 of the several commissions represented. The temporary secretary of such joint
22 meeting shall furnish the secretaries of each commission represented with a com-

23 plete record of such meeting, which record shall be entered in the records of each
24 county commission as required in section 2 of this Act.

Sec. 5. Before the publisher of any school text-book shall offer the same
2 to any county text-book commission, board of education, or board of directors,
3 for adoption, said publisher shall file a copy of said text-book in the office of
4 the superintendent of Public Instruction with a sworn statement of the list
5 price and the lowest net price at which said book is or will be sold anywhere
6 in the United States under similar conditions of sale and distribution. Said pub
7 lisher shall file with the Superintendent of Public Instruction a written agree-
8 ment to furnish said book or books to the county text-book commission or
9 boards of education or school book dealers in the State of Illinois, at the lowest
10 prices so filed. Said publisher must further agree to reduce such prices in the
11 State of Illinois, if reductions are made elsewhere in the United States, so that
12 at no time shall any book be sold in the State of Illinois at a higher price than
13 is received by said publisher for the same book elsewhere in the United States,
14 where similar methods of county adoption prevail. Said publisher shall further
15 agree that all books offered for adoption in the State of Illinois shall be equal
16 to those deposited in the office of the Superintendent of Public Instruction, as
17 regards paper, binding, print, text, illustrations and all points that may effect
18 the quality of said books.

Sec. 6. Before the publisher of any school text-book shall offer the same for
2 sale to any county school text-book commission, board of education or board of
3 directors in the State of Illinois, and at the time of the filing of such text-books
4 in the office of the Superintendent of Public Instruction, said publisher shall pay
5 into the treasury of the State of Illinois a filing fee of two (\$2.00) dollars for
6 each book offered by said publisher. A series of books by the same author and
7 upon the same subject shall constitute one book for this purpose. The fee thus
8 received shall constitute a fund out of which, upon appropriations made by the
9 General Assembly, shall be paid the expenses of publishing lists and other infor-

10 mation for the use of the county school text-book commissions, clerk hire, and
11 other necessary expenses in connection with the filing of all text-books submit-
12 ted for adoption in the State of Illinois.

Sec. 7. To insure compliance with the aforesaid conditions under which
2 school text-books may be sold in the State of Illinois, said publishers shall file
3 with the Superintendent of Public Instruction a bond of not less than two thou-
4 sand (\$2,000.00) dollars nor more than ten thousand (\$10,000.00) dollars, the
5 amount to be fixed and the bond to be approved by the Superintendent of Public
6 Instruction. Upon compliance with this and the preceding section, said pub-
7 lisher shall thereupon be licensed by the said Superintendent of Public Instruc-
8 tion to sell school books in this State.

Sec. 8. If in any case said publisher shall furnish books inferior in any
2 particular to the samples on file with the Superintendent of Public Instruc-
3 tion, or shall require higher prices than those listed with the Superintendent of
4 Public Instruction, then it shall become the duty of the county text-book commis-
5 sion or board of directors to inform the Superintendent of Public Instruction
6 of the failure of said publisher to comply with the terms of his contract. The
7 Superintendent of Public Instruction shall thereupon notify the publisher of
8 such complaint; and if said publisher shall disregard the notification and fail to
9 comply immediately with the terms of his contract, then the Superintendent of
10 Public Instruction shall cause the Attorney General to institute legal proceed-
11 ings for the forfeiture of the bond of said publisher.

Sec. 9. During the month of July, 1915, and annually thereafter, during
2 the month of January, it shall be the duty of the Superintendent of Public
3 Instruction to furnish each county school text-book commission with a list of
4 publishers who have conformed to the requirements hereinbefore set forth re-
5 lating to sample books, prices and bond, giving the title and price of each book
6 so listed. Said list shall constitute the official list from which the county text-
7 book commission shall select uniform text-books for the county or counties.

Sec. 10. Before seeking to enter into contract with any county text-book commission, board of education, or board of directors for the schools covered by this Act, the publisher shall furnish the county superintendent of schools or secretary of the board of education or the board of directors with a duplicate printed list of the books and prices filed with the Superintendent of Public Instruction. When any book or series of books in such list shall have been adopted by the county commission or by a board of education or board of directors in said county, it shall be the duty of said publisher of said book or books to furnish each county superintendent with a sample of same, to remain in the office of said county superintendent and be the property of said county.

Sec. 11. The county text-book commissions are hereby empowered to adopt text-books for all subjects that may be taught in the public schools of their respective counties, and to enter into contract for the same for a period of five (5) years in the manner hereinafter provided. All books adopted by the county text-book commission shall be used exclusively in the public schools of the county, except in such cities as are exempt in section four (4) of this Act: *Provided*, that all books introduced into public schools since May 1, 1914, through the recorded action of the board of education or boards of directors, may be continued in use for a period of five (5) years from the date of the introduction of said books: *And provided, further*, that the publishers of said books shall comply with all the requirements of sections four (4) and five (5) of this Act prior to August 1st, 1915.

Sec. 12. In selecting books the text book commission shall carefully consider the price, character, matter, binding, illustrations, print and paper, the adaptability to local conditions and all points that affect the value of the book. The text-book commission shall report within five (5) days after selection of text-books has been made, to each clerk or secretary of each board of directors or board of education and to each dealer in the county the name, price and publisher of each text-book selected.

Sec. 13. Each board of education or board of directors may, at any regular meeting held between the first Monday in February and the third Monday in August, determine, by a majority vote of all members elected the number of each of said books adopted by the county text-book commission, the schools under its charge shall require. Each board shall have power to, and may make all necessary provisions and arrangements to place said books within easy reach of, and accessible to all the pupils in their district, and for that purpose may make contracts and take such security as they shall deem necessary for the custody, care or sale of such books and a proper accounting for same, but not to exceed ten (10) per cent more than paid to the publisher. Whoever is custodian of said books and fails to account honestly and fully for same, or for the proceeds, to boards of directors or boards of education when required shall be guilty of embezzlement and punished accordingly: *Provided, however,* that boards of education, and boards of directors may contract with local dealers to furnish said books at prices above specified, the said board being responsible to the publishers for all books purchased by said board of education or board of directors. Whenever a board of education or board of directors shall fail to purchase text-books or provide for the sale and distribution thereof, then any local dealer is authorized to procure said text-books, and sell the same at prices not to exceed the fixed publishers' price, plus twenty (20) per cent thereof.

Sec. 14. Any teacher or school officer of a public school who, after the county text-book commission shall have adopted a list of text-books for such county, shall sanction or permit the use at the expense of pupil or parent of any book not adopted in accordance with the provisions of this Act, shall be guilty of a misdemeanor, and, upon conviction, shall be fined not less than twenty-five (\$25.00) dollars nor more than one hundred (\$100.00) dollars. If any county text-book commission, board of education or board of directors shall attempt to change any text-book before the expiration of a contract for the same, made under this Act, and any member of such commission or board, who votes for such

10 unlawful change, shall be guilty of a misdemeanor, and upon conviction shall be
11 fined not less than twenty-five (\$25.00) nor more than one hundred (\$100.00)
12 dollars. Any publisher or agent of such publisher who shall connive or seek to
13 procure such unlawful charge, shall be guilty of a misdemeanor and be sub-
14 ject to a like penalty.

Sec. 15. Nothing in this Act shall be construed to prevent the use of such
2 supplementary books as shall be furnished in any manner other than at the
3 expense of pupil or parent: *Provided*, such supplementary books shall not dis-
4 place books regularly adopted under the provisions of this Act.

Sec. 16. Any member of any county text-book commission who shall ac-
2 cept or receive any money, gift or any property or favor whatsoever, from any
3 person, firm or corporation, selling or offering for sale any text-book, shall,
4 upon conviction, be punished by a fine not exceeding one thousand (\$1,000.00)
5 dollars, or by imprisonment in the county jail for not more than six months, or
6 by both fine and imprisonment in the discretion of the court.

Sec. 17. All Acts or parts of Ac ts in conflict with this Act are hereby re-
2 pealed.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 697

1915



1 Adopted May 13, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 697 by inserting after the word "may" in line 4 of
2 section 4 on page 3 of the printed bill, the word "lawfully".

-
- 1 Introduced by Mr. Pace, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads
and Bridges.
-

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, by amending section 50, paragraph 7, and by adding a new section to be known as 99-B.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 50, paragraph 7, of an Act
3 entitled, "An Act to revise the law in relation to roads and bridges," approved
4 June 27, 1913, in force July 1, 1913, be, and the same are hereby amended so as
5 to read as follows:

6 Sec. 50. (7) "To take possession of and keep under shelter, when not in
7 use, all scrapers, plows and other tools belonging to the town or district wher-
8 ever the same may be found, and not allow the same to go to waste, and not
9 lend the same, except to persons employed to work the roads by contract, or
10 otherwise; and they are hereby authorized to lease or purchase ground upon
11 which to erect a tool house for road tools.

12 Sec. 99-B. ROADS ON CITY OR VILLAGE LIMITS.] Public roads may be estab-
13 lished, altered, widened, or vacated, on city or village corporate lines by and
14 with the consent of the city council or village trustees in the same manner as
15 other public roads, and they may be laid of a width not to exceed the width of
16 the city or village streets and the cost of laying such roads, including damages,
17 shall be paid wholly by the town or by agreement between the town or road dis-
18 trict and city or village jointly.



1 Introduced by Mr. Donahue, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 207 of an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 207 of "An Act to establish
3 and maintain a system of free schools," approved and in force June 12, 1909,
4 be and the same is hereby amended to read as follows:

5 Sec. 207. It shall be the duty of the county board of each county of the
6 State:

7 First—To provide for the county superintendent of schools a suitable
8 office with necessary furniture and office supplies, as is done in the case of other
9 county officers.

10 Second—To examine and approve or reject the report of the county super-
11 intendent of schools made to such board.

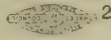
12 Third—*To allow reasonable traveling expenses in performance of the duties*
13 *of the office of county superintendent of schools.*

14 Fourth—To audit at the regular meeting in September, and as near quar-

15 terly thereafter as such board may have regular or special meetings, the item-
16 ized bills of the county superintendent of schools for his office *and traveling*
17 *expenses*.

18 Fifth—To authorize the county superintendent of schools to employ such
19 assistants as he needs for the full discharge of his duties, and to fix the com-
20 pensation thereof, which compensation shall be paid out of the county treasury.

21 Sixth—To examine the financial statements of the county superintendent of
22 schools required by section 11 of this Act and compare the same with vouchers,
23 and the county board, or so many of them as may be present at the meeting
24 of the board, shall be liable individually to the fund injured and to the secur-
25 ities of the county superintendent, in case judgment be recovered of the said
26 securities, for all damages occasioned by neglect of the duties, or any of them,
27 required of the board by this section: *Provided, however,* that nothing herein
28 contained shall be construed to exempt the securities, but they shall remain
29 liable to the fund injured the same as if the members of the county board were
30 not liable to them for neglect of their duty.



- 1 Introduced by Mr. Ray, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend sections 8, 21, 35, 42, 50, 53, 68, 69, 73, 107 and 118 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 8, 21, 35, 42, 50, 53, 68, 69,
3 73 and 118 of an Act entitled, "An Act to revise the law in relation to roads and
4 bridges," approved June 27, 1913, in force July 1, 1913, be and the same are
5 hereby amended to read as follows:

Sec. 8. COUNTY SUPERINTENDENT OF HIGHWAYS. (A) APPOINTMENT.] In
2 each and every county of the State there shall be a county superintendent of
3 highways appointed *by the county board of supervisors or board of county*
4 *commisisoners in the same manner as other county appointive officers are se-*
5 *lected.*

6 (B) TERM OF OFFICE—SALARY.] The term of office of each county super-
7 intendent of highways shall be *two* years and until his successor is duly ap-

8 pointed and qualified. He shall receive a salary payable out of the general fund
9 of the county in a sum to be fixed by the county board.

10 (C) REMOVAL.] Any county superintendent of highways may be removed
11 from office by the county board of his county for incompetence, neglect of duty or
12 malfeasance in office.

13 (D) POWERS AND DUTIES.] The county superintendent of highways shall
14 *be subject to the rules and regulations of the county board.*

15 (1) *Provide plans and estimates for all bridges to be built by county aid*
16 *or entirely by county funds.*

17 (2) Act for the county in all matters relating to the supervision for the
18 construction and maintenance of any road or bridge constructed or maintained
19 at the entire expense of the county or at the joint expense of the county and
20 any town or road district therein, as hereinafter set forth.

21 (3) Visit and inspect the highways and bridges in each town or district of
22 his county, at least once in each year and whenever directed so to do by the
23 *county board*, and advise the highway commissioners of the several towns or
24 districts in his county as to the *cost, best* methods of repair, maintenance and
25 improvement of highways and bridges.

26 (5) Keep a record of all contracts or purchases of materials, machinery
27 or apparatus to be used in road construction in excess of *five hundred dollars*
28 *(\$500.00)* approved by him in any town or district as hereinafter provided.

29 (6) Perform such other duties as may be prescribed by law and the rules
30 and regulations of the *county board* in conformity thereto: *Provided, further,*
31 *that such county superintendent, when appointed, shall be under the direction*
32 *of the county board of supervisors or commissioners, as the case may be, and*
33 *subject to their rules and regulations: Provided, that by and with the consent*
34 *of the board of supervisors or county commissioners, as the case may be, he may*
35 *serve as deputy State Highway Engineer, and be under the direction of the State*
36 *Highway Commission, on all road and bridge work in his county in which State*
37 *aid has been granted, and not otherwise.*

38 (E) VACANCY.] In case the office of the county superintendent of high-
39 ways in any county shall at any time be vacant, and a temporary emergency
40 shall arise requiring that such duly qualified official perform the duties of said
41 office, then the State Highway Commission may designate any competent per-
42 son to perform the duties of such office during the existence of such temporary
43 emergency.

Sec. 21. FINAL RESOLUTION OF STATE HIGHWAY COMMISSION.] Upon receiv-
2 ing the surveys, plans, specifications and estimates provided for in the preceding
3 sections the State Highway Commission shall determine whether they will
4 authorize the construction of the proposed improvement as a State Aid road.
5 The commission shall thereupon at once cause a copy of such determination to
6 be transmitted to the county board: *Provided, that the board of supervisors*
7 *in counties under township organization or the county commissioners in counties*
8 *not under township organization shall decide and finally determine the kind of*
9 *road improvement which shall be constructed in their particular county, and*
10 *that after the board of supervisors or county commissioners, as the case may*
11 *be, shall finally determine upon the kind of State aid road improvement which*
12 *shall be constructed in this particular county, it shall be the duty of the State*
13 *Highway Commissioners to furnish the said board of supervisors or county*
14 *commissioners, as the case may be, with the proper specifications, blue prints,*
15 *estimate of costs, etc., for the construction of the road in their particular coun-*
16 *ty: Provided, further, that such county board of supervisors in counties under*
17 *township organization or the county commissioners in counties not under town-*
18 *ship organization shall appoint a committee from such board or county com-*
19 *missioners, consisting of not less than three members, whose duty it shall be*
20 *to act for and in behalf of such county in letting contracts herein referred to*
21 *for the construction of State Aid Roads; said roads after construction and ac-*
22 *ceptance shall be maintained at the joint expense of the State and county. In*
23 *such case the State shall contribute one-half the expense thereof and the county*
24 *shall contribute the remaining one-half.*

Sec. 35. AID FROM COUNTY BOARD.] When it is necessary to construct or
 2 repair any bridges over a stream or any approach or approaches thereto, by
 3 means of an embankment or trestle work on a public road in any town or dis-
 4 trict or on or near to or across a town or district line, in which work the town
 5 or district is wholly or in part responsible and the cost of which will be more
 6 than twelve cents on each one hundred dollars on the latest assessment roll, and
 7 the levy of the road and bridge tax for two years last past in said town or dis-
 8 trict was in each year for the amount of *thirty-six cents on each one hundred*
 9 *dollars allowed by law* to be raised therein for road and bridge purposes except
 10 for damages incurred in laying out, altering, widening or vacating roads, the
 11 major part of which levy is needed for the ordinary repair of roads and bridges,
 12 the commissioners of highways may petition the county board for aid, and if the
 13 foregoing facts shall appear, the county board shall appropriate from the county
 14 treasury a sum sufficient to meet one-half of the expenses of said bridge or
 15 other work, on condition the town or district asking aid shall furnish the other
 16 half of the required amount: *Provided, however, said commissioners shall,*
 17 *when it is determined by them that they will ask for said county aid, as provided*
 18 *for in this section, and before any contract for work or material or other ex-*
 19 *penses may have been entered into, present their said petition to the county*
 20 *board, if they shall be in session and if it shall not be in session, to the chairman*
 21 *of the said county board, whereupon said county board or chairman thereof*
 22 *as the case may be, shall appoint three members of said board, no one of which*
 23 *shall reside in the town asking aid as aforesaid to represent the county in this*
 24 *matter and said supervisors, when so appointed and qualified shall meet said*
 25 *commissioners at the time and place to be selected by said commissioners and the*
 26 *commissioners and supervisors shall organize by electing one of their members*
 27 *chairman and said commissioners and supervisors shall make all contracts in*
 28 *manner provided by law for any material and other expenses necessary for the*
 29 *construction or repairing of said bridge or bridges, a majority vote of said com-*
 30 *missioners and three supervisors being necessary to make any contract or incur*

31 *any expense: Provided, further, that all expenditures shall be made by said com-*
32 *missioners and supervisors, and the county board shall not be liable for any part*
33 *of said expenses or compelled to pay any part of said appropriation until all*
34 *the work has been fully completed and accepted by said commissioners of high-*
35 *ways and supervisors or county superintendent of highways, as the case may be,*
36 *and said facts properly certified to by the said county superintendent of high-*
37 *ways and presented to said county board at a meeting held after the completion*
38 *of said work, which certification shall contain an itemized account of the expendi-*
39 *tures: And, provided, further, if the supervisors and commissioners, when*
40 *organized as aforesaid, shall fail to agree or come to a conclusion on the mat-*
41 *ters before them, they shall on account of a tie summon a reputable person, who*
42 *is a householder of said county but not a resident of the town asking aid, said*
43 *summons to be served by any constable of the county and all questions in dis-*
44 *pute and remaining unsettled shall be submitted to him, whose decision shall be*
45 *final on all matters so submitted. The fees of the householder shall be the same*
46 *as that of the supervisor and the constable fees shall be the same as the con-*
47 *stable's fees for summoning a jury; all of said fees of said member of said com-*
48 *mission and constable's fees shall be paid out of said funds as part of the*
49 *expenses.*

Sec. 42. TOWN AND DISTRICT ROAD OFFICERS. (A) COMMISSIONERS.] In each
2 township in counties under township organization and in each road district in
3 counties not under township organization there shall be a board of highway com-
4 missioners, consisting of three members, each of whom shall serve for a term of
5 three years and until his successor is duly elected and qualified, and who shall
6 be elected in the manner hereinafter set forth. The powers and duties of such
7 highway commissioners shall be as hereinafter indicated.

8 (B) CLERK.] In counties under township organization the town clerk shall
9 act as the clerk of the board of highway commissioners of such town. In coun-
10 ties not under township organization there shall be elected in each road district

11 a district clerk, who shall hold his office for the term of three years and until his
12 successor is elected and qualified.

13 (C) *In any county under township organization wherein the three com-*
14 *missioners system is in vogue, the commissioners of highways shall elect at their*
15 *first meeting to be held in April, when they shall meet to organize, one of their*
16 *own members as treasurer of the road and bridge fund, and in townships where-*
17 *in the one commissioner system has been adopted, the said commissioner shall*
18 *be treasurer of the road and bridge fund. In counties not under township or-*
19 *ganization, the district clerk shall be ex officio treasurer of such fund.*

20 (D) WHO ELIGIBLE.] No person shall be eligible to the office of highway
21 commissioner unless he shall be a legal voter and have been one year a resi-
22 dent of such town or district. In counties not under township organization the
23 same limitation shall apply to the district clerk.

Sec. 50. MEETINGS, POWERS AND DUTIES OF HIGHWAY COMMISSIONERS. (A)
2 MEETINGS.] The commissioners of highways of each town or road district
3 shall meet on the second Tuesday next after the annual town meeting or road
4 district election, in each year, at the office of the town or district clerk, and
5 shall organize as a board by electing one of their number president *and one of*
6 *their number treasurer.* They shall also hold a regular semi-annual meeting
7 between the first Tuesday in August and the first Tuesday in September of each
8 year, at a time to be named by their president, for the purpose of determining
9 the tax rate to be certified by them to their respective county boards, as herein-
10 after provided. Said board shall also hold other regular meetings at such
11 times as they shall designate, and special meetings as occasion may require at
12 the call of the president, or any two commissioners, and no official business shall
13 be transacted by the board except at a regular or special meeting. The con-
14 currence of at least two commissioners shall be required in all official actions
15 taken by the board as a body, and all certificates or documents hereinafter re-
16 quired to be made or executed by the board of highway commissioners shall be
17 signed by at least two members of said board.

18 (B) GENERAL POWERS AND DUTIES.] The highway commissioners of each
19 town or road district shall have the power and it shall be their duty:

20 (1) To lay out, alter, widen or vacate roads as hereinafter provided.

21 (2) To cause such roads used as highways as have been laid out or dedi-
22 cated to public use, but not sufficiently described, and such as have been used for
23 twenty years, but not recorded, to be ascertained, described and entered of record
24 in the office of the district or town clerk.

25 (3) To determine the taxes necessary to be levied on property within their
26 town or district for road and bridge purposes, subject to the limitations herein-
27 after provided.

28 (4) To direct the expenditures of all moneys collected in the town or dis-
29 trict for road and bridge purposes and to draw warrants on the town or district
30 treasurer therefor.

31 (5) To direct the construction and repair of roads and bridges within the
32 town or district, to let contracts, employ labor and purchase material and ma-
33 chinery therefor, subject to the limitations herein provided: *Provided, however,*
34 *that no contract shall be let for the construction or repair of any road or bridge*
35 *or part thereof in excess of the amount of \$500.00, nor shall any machinery or*
36 *material to be used in road construction in excess of such amount to be pur-*
37 *chased without the approval of the county superintendent of highways: Pro-*
38 *vided, further, if approval is not given within ten days the commisisoners may*
39 *appeal to the township supervisor whose approval will be legal authority for let-*
40 *ting contract.*

41 (6) To have general charge of the roads and bridges of their town or dis-
42 trict, to keep the same in repair and to improve them as far as practicable.

43 (7) To take possession of and keep under shelter, when not in use, all
44 scrapers, plows and other tools belonging to the town or district wherever the
45 same may be found, and not allow the same to go to waste, and not lend the
46 same, except to persons employed to work the roads by contract or otherwise.

47 (8) To cause to be erected and kept in repair at the forks or crossing place
 48 of the most important public roads, post and guide boards, with plain inscrip-
 49 tion thereon, in letters and figures, giving directions and distances to the most
 50 noted places to which such road may lead; to prevent thistles, burdock, cockle-
 51 burs, mustard, yellow dock, Indian mallow and gympson weed from seeding, and
 52 to extirpate the same so far as practicable; and to prevent all rank growth of
 53 vegetation in the public highway by causing the same to be cut and destroyed
 54 prior to September 1st, in each and every year; and the said commisioners
 55 may, at their discretion, adopt any suitable and convenient mode of supply-
 56 ing water in troughs conveniently situated on the public highways for public
 57 use.

58 (9) To issue their warrant or order on the treasurer of the board of high-
 59 way commissioners for the payment of all moneys paid out by such treasurer.

60 (C) REPORT.] The highway commissioners shall annually make report in
 61 writing, showing:

62 (1) The amount of poll tax assessed, how much paid, and how much de-
 63 linquent.

64 (2) The amount of road and bridge money received by him and a full and
 65 detailed statement as to how and where expended, and the balance, if any,
 66 unexpended.

67 (3) The amount paid for damages in laying out, altering, widening or va-
 68 eating roads, and right-of-way for ditches.

69 (4) The amount of liabilities incurred and not paid; and if such liabilities
 70 are undetermined, they shall be estimated.

71 (5) Any additional matter concerning the roads and bridges of the dis-
 72 trict he may think expedient and proper to make.

73 In counties under township organization such report shall be made to the
 74 board of town auditors at the semi-annual meeting immediately preceding the
 75 annual town meeting. In counties not under township organization such report
 76 shall be made not later than the last Tuesday in March to the district clerk, who

77 shall file the same in his office and he shall record such report at large in the rec-
78 ords of said road district.

Sec. 53. COMPENSATION OF OFFICERS—COMMISSIONERS.] *The commissioners*
2 *shall each receive for each day necessarily employed, in the discharge of their*
3 *duties, the sum of three dollars (\$3.00) upon a sworn statement to be filed by*
4 *such commissioner in the office of the town or district clerk, showing the num-*
5 *ber of days he was employed and the kind of employment, and giving the dates*
6 *thereof.*

7 CLERK.] The town or district clerk shall receive *two dollars and half*
8 *(\$2.50)* per day for each day he shall be required to meet with the highway com-
9 missioners, and the same amount per day for the time he shall be employed as
10 clerk of election, or in canvassing the returns of such election. He shall receive
11 no other per diem. In addition to the above he shall also receive fees for the
12 following services, to be paid out of the town or district funds, except where
13 otherwise specified: For serving notice of election or appointment upon dis-
14 trict officers as required by this Act, twenty-five cents each. For posting up no-
15 tices required by law, twenty-five cents each. For copying any record in his
16 office and certifying to the same, ten cents for every hundred words, to be paid
17 by the person applying for the same.

18 TREASURER.] The treasurer shall, in addition to the other compensation to
19 which he is by law entitled, receive two per cent on all moneys paid out by him
20 up to and including two thousand dollars and one per cent on all moneys paid
21 out by him in excess of two thousand dollars, excepting such amounts as shall
22 have been paid to his successor, also except all moneys paid out in payment of
23 bonds or other borrowed money.

24 JUSTICE OF THE PEACE.] The justice of the peace whose services are re-
25 quired by this Act, shall receive the sum of two dollars per day for his services.

Sec. 68. CONTRACTS OF SINGLE TOWN OR DISTRICT.] The commissioners of
2 highways in each town or district are authorized to contract for the construc-

tion and repairing of roads and bridges lying wholly within the limits of *their* town or district; the cost whereof does not exceed \$500.00 When any contract shall be for a sum in excess of \$500.00, the said commissioners shall not let the same without the approval of the county superintendent of highways, or *township supervisor*. The county superintendent shall keep a record of all contracts approved by him.

The commissioners of highways are hereby authorized to contract for the construction and repair of roads and bridges but when any contract is for a sum exceeding \$200.00, at least ten days' notice of the time and place of letting such contracts shall be given by posting notices in at least ten of the most public places in and contiguous to said town, describing the work and time of completion.

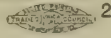
Sec. 69. CONTRACTS FOR IMPROVEMENTS TO BE CONSTRUCTED BY TWO TOWNS OR DISTRICTS.] Contracts for constructing and repairing roads and bridges on town or district lines, or across streams on town or district lines, shall be let by the commissioners of the two towns or districts, who shall meet and act together when taking action upon the letting of such contracts for the construction or repair of such roads and bridges, or acceptance of the work. When such contracts are for the expenditure of a sum exceeding \$500.00, they shall not let the same without the approval of the county superintendent or supervisor as provided in the preceding section.

Sec. 73. WIDTH OF ROADS.] All public roads established under the provisions of this Act shall be of the standard width of *fifty* feet.

Sec. 107. (A) ROAD DRAGS—AUTHORITY AND USE.] *The commissioners of highways in the several towns or districts and the county boards in the counties of this State are hereby authorized to have earth roads dragged at all seasons of the year.*

Sec. 118. COMMISSIONERS—OPENING BIDS—FAILURE TO GIVE BOND.] The commissioners shall appear at the time and place appointed, for the purpose of open-

3 ing the bids and shall proceed to let the contract publicly to the lowest respon-
4 sible bidder or bidders by sections, with proper specifications of the various
5 kinds of labor or material on each section, and bidders shall be required to sep-
6 arately state their bids for each class of work in such manner as the commis-
7 sioners may provide, and each contractor shall be required to give bond with good
8 and sufficient sureties for the performance of his contract, payable to the com-
9 missioners for the use and benefit of the town or district with the necessary
10 specifications and stipulations on the part of the contractor entered therein: *Pro-*
11 *vided, however,* no contract in excess of the sum of *five hundred dollars (\$500.00)*
12 shall be let by the commissioners of highways in any town or district without
13 the approval of the county superintendent of highways *or township supervisor.*
14 No commissioner shall be interested either directly or indirectly in any contract
15 relating in any manner to said road.



1 Introduced by Mr. Scholes, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend sections 4 and 5 of an Act entitled, "An Act to provide for the holding of primary elections by political parties for the nomination of members of the General Assembly, and the election of senatorial committeemen," approved March 9th, 1910, in force July 1st, 1910, as amended by Act approved June 27th, 1913, in force July 1st, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 4 and 5 of an Act entitled,
3 "An Act to provide for the holding of primary elections by political parties for
4 the nomination of members of the General Assembly, and the election of senator-
5 ial committeemen," approved March 9th, 1910, in force July 1st, 1910, as amend-
6 ed by Act approved June 27th, 1913, in force July 1st, 1913.

Sec. 4. A primary shall be held on the first Tuesday of May in the year
2 A. D. 1916, and on the first Tuesday in May every two years thereafter, for
3 the nomination of candidates for senatorial offices, and for the election of sena-
4 torial committeemen.

Sec. 5. There shall be constituted a senatorial committee for each senatorial district: *Provided, however,* that nothing herein contained shall prevent a political party from electing or appointing in accordance with its practice any other committees.

The senatorial committee of each political party shall be elected as follows:

(a) In senatorial districts comprised of three or more counties, the senatorial committee shall be composed of one member elected from each county of such senatorial district.

At the May primary held in the year A. D. 1916, and at the May primary held every two years thereafter, each primary elector may vote for one candidate of his party residing in his county for member of the senatorial committee of his party.

(b) In senatorial districts comprised of two counties, the senatorial committee shall be composed of three members, two of whom shall be elected from the county in which such political party at the general election for State and county officers then next preceding a primary polled the larger number of votes in such senatorial district, and one of whom shall be elected from the other county of such senatorial district.

At the May primary held in the year A. D. 1916, and at the May primary held every two years thereafter, each primary elector, residing in a county in which such political party at the general election for State and county officers then next preceding a primary polled the largest number of votes in such senatorial district, may vote for two candidates of his party, residing in his county, for members of the senatorial committee of his party (and at such primary in the other county of such senatorial district, each primary elector may vote for one candidate of his party) residing in his county for member of the senatorial committee of his party.

(c) In senatorial districts composed of one county, and in senatorial districts wholly within the territorial limits of one county, or partly within the terri-

30 torial limits of another county, the senatorial committee shall be composed of
31 three members elected from such senatorial district.

32 At the May primary held in the year A. D. 1916, and at the May primary
33 held every two years thereafter, each primary elector may vote for three candi-
34 dates of his party, residing in such senatorial district, for members of the sena-
35 torial committee of his party.

36 Within thirty days after its election, the senatorial committtee shall meet
37 and proceed to organize by electing from among its own number a chairman,
38 and either from its own number or otherwise, such other officers as said commit-
39 tee, may deem necessary or expedient. The outgoing chairman of the senatorial
40 committee of the party shall notify the members elected of the time and place
41 (which shall be in the limits of such senatorial district) of such meeting.

- 1 Introduced by Mr. Scholes, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend sections 6, 9, 10 and 29 of an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9th, 1910, in force July 1st, 1910, as amended by Act approved June 30th, 1913, in force July 1st, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections 6, 9, 10 and 29 of an Act
3 entitled, "An Act to provide for the holding of primary elections by political
4 parties," approved March 9th, 1910, in force July 1, 1910, as amended by Act
5 approved June 30th, 1913, in force July 1st, 1913, be, and the same is, hereby
6 amended so as to read as follows:

Sec. 6. A primary shall be held on the first Tuesday of May in every year
2 in which officers are to be voted for on the first Tuesday after the first Monday
3 in November of such year for the nomination of candidates for such offices as are
4 to be voted for at such November election, and for the purpose of electing
5 delegates and alternate delegates to National nominating conventions, and for

6 the purpose of securing an expression of the sentiment and will of the party
7 voters with respect to candidates for nomination for the office of President of
8 the United States.

9 A primary shall be held on the last Tuesday in February in each year for
10 the nomination of such officers as are to be voted for on the first Tuesday in
11 April of such year.

12 A primary shall be held on the second Tuesday in March in each year for
13 the nomination of such officers as are to be voted for on the third Tuesday in
14 April of such year.

15 A primary for the nomination for all other officers, nominations for which
16 are required to be made under the provisions of this Act, shall be held three
17 weeks preceding the date of the general election for such offices respectively.

18 The polls shall be open from six o'clock A. M. to five o'clock P. M.

Sec. 9. (1) The State central committee shall be composed of one member
2 from each congressional district in the State and shall be elected as follows:

3 At the May primary held in the year A. D. 1916, and at the May primary
4 held every two years thereafter, each primary elector may vote for one candi-
5 date of his party for member of the State central committee for the congres-
6 sional district in which he resides. The State central committee of each politi-
7 cal party shall be composed of members elected from the several congressional
8 districts of the State, as herein provided, and of no other person or persons
9 whomsoever. The members of the State central committee shall, within thirty
10 days after their election, meet in the city of Springfield and organize by electing
11 from among their own number a chairman, and may at such time elect such
12 officers from among their own number or otherwise, as they may deem neces-
13 sary or expedient. The outgoing chairman of the State central committee of
14 the party shall, ten days before the meeting, notify each member of the State
15 central committee elected at the primary of the time and place of such meeting.

16 (2) At the May primary held in the year A. D. 1916, and at the May

primary held every two years thereafter, each primary elector may write or attach in the space left on the primary ballot for that purpose the name of one qualified elector of his party in the precinct for member of his political party precinct committee. The one having the highest number of votes shall be such committeeman of such party for such precinct. In case of a tie the primary judges shall cast lots. The official returns of the primary judges shall show the name and address of the committeemen of each political party in the county: *Provided, however,* the provisions of this sub-section two (2) of section nine (9) shall not apply to precincts within the territorial limits of an incorporated city or village having a population of two hundred thousand or over.

(3) The county central committee of each political party shall consist of the members of the various precinct committees and ward committees, if any, of such party in the county. In the organization and proceedings of the county central committee each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election; and each ward committeeman shall have one vote for each precinct in his ward and one additional vote for each fifty votes or major fraction thereof of his party cast in each precinct of his ward for Governor at the last general election.

(4) The congressional committee of each political party shall be composed of the chairman of the county central committees of the counties composing the congressional district, excepting that in congressional districts wholly within the territorial limits of one county, or partly within the territorial limits of one county and partly within the territorial limits of another county, then the members of the precinct committees of the party residing within the limits of the congressional district shall compose the congressional committee:

Provided, however, that in congressional districts wholly within the territorial limits of an incorporated city or village having a population of two hundred thousand or over, or partly within the limits of such city or village and partly without the limits of such city or village, then the members of the

precinct and ward committees of the party of the precincts and wards within the limits of the congressional district shall compose the congressional committee.

In the organization and proceedings of congressional committees, composed in whole or in part of precinct committeemen, each precinct committeeman shall have one vote and one additional vote for each fifty votes or major fraction thereof of his party cast in his precinct for Governor at the last general election, and in the organization and proceedings of congressional committees, composed in whole or in part of ward committeemen, each ward committeeman shall have one vote for each precinct in his ward, and one additional vote for each fifty votes or major fraction thereof of his party as cast in each precinct of his ward located in such congressional district for Governor at the last general election.

(5) The city central committee of each political party shall be composed of the precinct committeemen of such party residing in such city, excepting that in incorporated cities or villages having a population of two hundred thousand or over, then the city central committee shall be composed of the ward committeemen residing within the territorial limits of such city or village, which said ward committeemen shall be elected at large in their respective wards.

The word "ward" in this section shall be construed to mean a division for which aldermen are elected in such last mentioned cities or villages.

(6) Each committee and its officers shall have the powers usually exercised by such committees and by the officers thereof, not inconsistent with the provisions of this Act. The several committees herein provided for shall not have power to delegate any of their powers or functions to any other person, officer or committee, but this shall not be construed to prevent a committee from appointing from its own membership proper and necessary sub-committees, and particularly defining, by resolution, the duties of such sub-committees.

(7) The various political party committees now in existence are hereby

76 recognized and shall exercise the powers and perform the duties herein pre-
77 scribed until committeemen are chosen, in accordance with the provisions of this
78 Act.

Sec. 10. (a) On the first Monday next succeeding the May primary, the
2 county central committee of each political party shall meet at the county seat of
3 the proper county and proceed to organize by electing from its own number a
4 chairman, and either from its own number, or otherwise, such other officers as
5 said committee may deem necessary or expedient. Such meeting of the county
6 central committee shall be known as the county convention. The county con-
7 vention of each political party shall choose delegates to the congressional and
8 State conventions of its party: *Provided*, only precinct and ward committeemen
9 of the respective precincts and wards within the limits of a congressional dis-
10 trict shall participate in the selection of delegates to a congressional conven-
11 tion: *And, provided, further*, that in the county convention that each of such
12 precinct committeemen in the county convention shall have one vote and one ad-
13 ditional vote for each fifty votes or major fraction thereof of his party cast in
14 his precinct for Governor at the last general election, and that each of such ward
15 committeemen shall have one vote for each precinct in his ward and one addi-
16 tional vote for each fifty votes or major fraction thereof of his party cast in
17 each precinct of his ward for Governor at the last general election.

18 (b) All congressional conventions shall be held on the first Wednesday after
19 the first Monday next succeeding the may primary. The congressional con-
20 vention of each political party shall have power to choose and select delegates
21 and alternate delegates to National nominating conventions, and to recommend
22 to the State convention of its party the nomination of candidate or candidates
23 from such congressional district for elector or electors of President and Vice
24 President of the United States.

25 (c) All State conventions shall be held on the first Friday after the first
26 Monday next succeeding the May primary. The State convention of each politi-

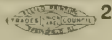
27 cal party shall have power to make nominations of candidates for the electors
 28 of President and Vice President of the United States and for trustees of the
 29 University of Illinois, and to adopt any party platform.

30 (d) Each convention may perform all other functions inherent to such
 31 political organization and not inconsistent with this Act.

32 (e) At least thirty-three (33) days before the May primary the State and
 33 congressional committee, respectively, of each political party shall file in the
 34 office of the county clerk in each county of the State, or in each county of the
 35 congressional district, a call for the State and congressional conventions. Said
 36 call shall state, among other things, the time and place (designating the build-
 37 ing or hall) for holding the State and congressional conventions, respectively,
 38 the total number of delegates which shall compose each of said conventions, and
 39 the call for State conventions shall state, among other things, the number of
 40 delegates to which each county is entitled in the State convention; and the call
 41 for the congressional convention shall state, among other things, the number of
 42 delegates to which each county or political subdivision of any county, as the case
 43 may be, is entitled to in the congressional convention. Such call shall be signed
 44 by the chairman and attested by the secretary of the respective committees.

Sec. 29. Any candidate for President of the United States may have his
 2 name printed upon the primary ballot of his political party by filing in the
 3 office of the Secretary of State not less than forty (40) days prior to the date
 4 of the May primary, in any year, a petition signed by not less than three thousand
 5 (3,000) nor more than five thousand (5,000) primary electors, members of and
 6 affiliated with the party of which he is a candidate, and no candidate for Pres-
 7 ident of the United States, who fails to comply with the provisions of this Act,
 8 shall have his name printed upon any primary ballot: *Provided*, that the vote
 9 for President of the United States, as herein provided for, shall be for the sole
 10 purpose of securing an expression of the sentiment and will of the party
 11 voters with respect to candidates for nomination for said office, and the vote of

12 the State at large shall be taken and considered as advisory to the delegates and
13 alternates at large to the National conventions of respective political parties;
14 and the vote of the respective congressional districts shall be taken and consid-
15 ered as advisory to the delegates and alternates of said congressional districts
16 to the National conventions of the respective political parties.



- 1 Introduced by Mr. Drake, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to establish and maintain a system of free schools," approved and in force June 12, 1909, as amended by subsequent Acts, by amending sections thirty-four (34), thirty-five (35), thirty-eight (38), seventy-eight (78), eighty (80), eighty-two (82), one hundred twelve (112) and two hundred sixteen (216) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to estab-
3 lish and maintain a system of free schools" approved and in force June 12, 1909,
4 as amended by subsequent Acts, be and the same is hereby amended by amend-
5 ing sections thirty-four (34), thirty-five (35), thirty-eight (38), seventy-eight
6 (78), eighty (80), eighty-two (82), one hundred twelve (112) and two hundred
7 sixteen (216) so that said sections when amended shall read as follows:

Sec. 34. It shall be the duty of the trustees of schools to hold regular meet-
2 ings on the first Monday of April and *the second Monday in July.* Special
3 meetings may be called at any time by the president or by two members. Two
4 members shall constitute a **quorum** for the transaction of business.

Sec. 35. At the regular meeting on the first Monday of April, the trustees shall ascertain the amount of funds subject to distribution, and shall appropriate, and distribute the same as required by this section, and not otherwise. All valid claims shall be paid before distribution, in manner following: First, the compensation of the treasurer; second, the cost of publishing the annual statement; third, the cost of a record book, if any; fourth, the cost of dividing school lands and making plats. The balance shall be apportioned and distributed to the districts and parts of districts in the township in which schools have been kept as required by law during the preceding year ending June 30th, according to the number of persons returned under 21 years of age. The funds so distributed shall be credited to the respective districts and parts of districts.

Sec. 38. *At the regular meeting in July*, and at such other meetings as they may think proper, the trustees of schools shall examine all books, notes, mortgages, securities, papers, moneys and effects of the corporation, and the accounts and vouchers of the township treasurer, or other township school officer, and shall make such order for their security, preservation, collection, correction of errors, if any, and for their proper dispositions, as may be necessary.

Sec. 78. *At the regular meetings in April and July* of each year the township treasurer shall submit to the trustees of schools a statement showing the amounts of interest, rents, issues and profits on township lands and funds, that have accrued since their last regular meeting, and also the amount of distributive funds on hand. He shall submit also to the trustees for their examination all books, mortgages, bonds, notes and other evidences of indebtedness held by him as treasurer of the township, and shall make such other statements touching the duties of his office as the trustees may require.

Sec. 80. The township treasurer shall, within two days after the *second Monday of July*, annually, prepare for each district or part of district in the township a statement or exhibit of the exact condition of the account of such

4 district, or part of district, as shown by his books on June 30 of each year. Such
5 statement or exhibit shall show the balance on hand at the time of making the last
6 exhibit, the amount since received, when and from what sources; and also the
7 amount paid out during that time, to whom paid, and for what purpose, and the
8 statement shall be balanced, and the balance shown. It shall be the duty of the
9 treasurer to comply with any lawful demand the trustees may make as to the ver-
10 ification of any balance reported by the treasurer to be on hand. The exhibit shall
11 be subscribed and sworn to by the treasurer before any officer authorized to ad-
12 minister an oath, and shall be without delay, delivered or transmitted by mail
13 to the clerk of the proper district.

Sec. 82. It shall also be the duty of the township treasurer:

2 First. To return to the county clerk, on or before, the second Monday of
3 August in each year, the certificate of tax levy made by each board of school di-
4 rectors in his township.

5 Second. To pay all lawful orders issued by the directors of any district in
6 his township.

7 Third. To collect from the township and county collectors the full amount
8 of taxes levied by the directors in his township.

9 Fourth. To examine the official records of each district in the township
10 once each year.

11 Fifth. To keep a record account between districts when pupils are trans-
12 ferred from one district to another.

13 Sixth. To give notice of the election of trustees, and in case of the forma-
14 tion of a new school district, of the election of school directors.

15 Seventh. To give notice of any regular or special district election when the
16 directors fail or refuse to do so.

17 Eighth. To publish in some newspaper of his county an annual statement
18 of the finances of the township.

19 Ninth. To file all poll books and returns of election delivered to him under
20 the provisions of this Act.

Sec. 112. The clerk shall keep in a punctual, orderly and reliable manner,
2 a record of the official acts of the board which shall be signed by the president
3 and the clerk, and submitted to the township treasurer for his inspection and
4 approved on *the first Monday of April and the second Monday of July*, and at
5 such other times as the treasurer may require. On all questions involving the
6 expenditure of money, the yeas and nays shall be taken and entered on the rec-
7 ords of the proceedings of the board.

Sec. 216. All bonds, notes, mortgages, moneys and effects which have ac-
2 crued or may accrue from the sale of the sixteenth section of the common school
3 lands of any township, or from the sale of any real estate or other property
4 taken on any judgment or for any debt due to the principal of any township
5 fund, and all other funds of every description which have been or may be carried
6 to and made part of the principal of any township fund, shall forever con-
7 stitute the principal of the township fund; and no part thereof shall ever be
8 distributed or expended for any purpose whatever, but shall be loaned and held
9 to use, rent or profit, as provided by law. The interest, rents, issues and profits
10 arising and accruing from the principal of any township fund shall be distrib-
11 uted in the manner and at the time provided by this Act; nor shall any part of
12 such interest, rents, issues and profits be carried to the principal of any town-
13 ship fund, unless it shall appear that there is rent, interest, issues, profits or
14 other funds not required for distribution. In such case the amount not required
15 for distribution may, in the discretion of the trustees of schools, be added to the
16 principal of the township fund and loaned as such.



1 Introduced by Mr. Devereux, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on License and Miscellaneous.

A BILL

For an Act to regulate the making, remaking and renovating of mattresses, quilts, bed comforters and seat cushions, and regulating the sale thereof, and providing a punishment for a violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That no person shall use, either in whole or in part, in the making of any mattress, quilt, bed comforter or seat cushion, any second hand cotton, cotton-felt, hair, wool, shoddy, excelsior or kapoc, or any other soft material which has been made second hand by use about the person; nor shall any person sell, or offer to expose for sale, or be in the possession of with intent to sell, or deliver any mattress, quilt, bed comforter or seat cushion, in which has been used, in the making, either in whole or in part, any second hand cotton, cotton-felt, hair, wool, shoddy, excelsior or kapoc or any other soft material which has been made second hand by previous use in or about the person.

Sec. 2. No person shall sell, or offer or expose for sale, or be in the possession of, with intent to sell or deliver, any mattress, quilt, bed comforter or seat cushion which has not plainly written or printed thereon upon a cloth or permanent tag, securely fastened to the outside covering thereof, a statement in English language setting forth the kind of material used for filling and the proportion of each kind of material, if more than one kind of material is used, together with the name of the manufacturer or vendor.

Sec. 3. Nothing herein shall prohibit any person from remaking or renovating, or employing others to remake or renovate for him, any mattress, quilt, bed comforter or seat cushion for his own use, but all material used for filling in the remaking or renovating of any mattress, quilt, bed comforter or seat cushion, together with the cover thereof, shall be first sterilized and all such remade or renovated mattresses, quilts, bed comforters or seat cushions shall have plainly written or printed thereon, upon a cloth or permanent tag, securely fastened to the outside covering thereof, a statement in English language, setting forth that the same has been renovated or remade, and that the contents and cover have been sterilized, together with the name and address of the person by whom such sterilizing and remaking or renovating was performed.

Sec. 4. Any person who shall violate any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be fined for each offense in the sum of not less than \$25.00 nor more than \$100.00.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 704

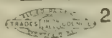
1915



1 Adopted May 14, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 704, in line 3, of section 1, in lines 2 and 3 of section
2 2, and in lines 2 and 3 of section 3, by striking out the comma between the
3 words "quilt" and "bed" and insert the word "or", and in the same line or
4 lines, strike out the words "or seat cushion".



- 1 Introduced by Mr. Dudgeon, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act making an appropriation for the State Board of Agriculture.

- SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That there be, and is hereby appropri-
3 ated to the State Board of Agriculture the following sums, to-wit:
- 4 For the encouragement of an exhibit at the State Fair, the sum of five
5 thousand (\$5,000) dollars per annum for the years 1915 and 1916.
- 6 For the salary of the secretary, the sum of four thousand dollars (\$4,000)
7 per annum for the years 1915 and 1916.
- 8 For the salary of the chief clerk, the sum of twenty-four hundred (\$2,400)
9 dollars per annum for the years 1915 and 1916.
- 10 For the salary of receiving and shipping clerk, the sum of twelve hundred
11 (\$1,200) dollars per annum for the years 1915 and 1916.
- 12 For the salary of stenographer, the sum of twelve hundred (\$1,200) dollars
13 per annum for the years 1915 and 1916.
- 14 For the salary of statistical clerk, the sum of twelve hundred (\$1,200) dol-
15 lars per annum for the years 1915 and 1916.

16 For the salary of filing clerk, the sum of one thousand (\$1,000) dollars per an-
17 num for the years 1915 and 1916.

18 For the salary of janitor, the sum of six hundred (\$600) dollars per annum
19 for the years 1915 and 1916.

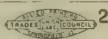
20 For traveling expenses of the members and officers of the board, the sum
21 of three thousand (\$3,000) dollars per annum for the years 1915 and 1916.

22 For the expenses of collecting, compiling and publishing live stock and agri-
23 cultural statistics, the sum of one thousand (\$1,000) per annum for the years
24 1915 and 1916.

25 For office expenses, stationery, printing, postage, express, telephone, etc.,
26 the sum of fifteen hundred (\$1,500) dollars per annum for the years 1915 and
27 1916.

28 For the maintenance, repairs and care of the Illinois State Fair Grounds and
29 buildings thereon, the sum of twenty thousand (\$20,000) dollars per annum for
30 the years 1915 and 1916.

Sec. 2. That on the order of the president, countersigned by the secretary
2 of the State Board of Agriculture, the Auditor of Public Accounts shall draw
3 his warrant upon the State Treasurer in favor of the treasurer of the State
4 Board of Agriculture for the sums herein appropriated.



- 1 Introduced by Mr. G. H. Wilson, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend section 59 of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 59 of an Act entitled, "An
3 Act to revise the law in relation to roads and bridges," approved June 27, 1913,
4 in force July 1, 1913, be and it is hereby amended so as to read as follows:

5 Sec. 59. All items of tax levy of any town or district authorized by sec-
6 tions 56 and 58 of this Act shall be extended by the county clerk as one tax upon
7 the collector's book and when collected shall be paid to the treasurer of the
8 commissioners of highways by the collector as fast as the same is collected, ex-
9 cept such rate per cent as shall be allowed for collecting the same: *Provided,*
10 that one-half the tax required to be levied in section 56 and collected for
11 road and bridge purposes, on the property lying within an incorporated village,
12 town or city, *situated in a county that is under township organization,* in which
13 the streets and alleys are under the care of the corporation, shall be paid over

14 to the treasurer of such village, town or city, to be appropriated to the im-
15 provement of roads, streets and bridges, either within or without said village,
16 town or city, and within the township, under the direction of the corporate
17 authorities of such village, town or city: *And, provided, further,* that when any
18 of said tax is expended beyond the limits of said village, town or city, it shall be
19 with the consent of the highway commissioners of the township or road district.

- 1 Introduced by Mr. Maucker, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act concerning fees and salaries, and to classify the several counties of this State with reference thereto," approved March 29, 1872, in force July 1, 1872; title as amended by Act approved March 28, 1874, in force July 1, 1874; said Act as amended by subsequent Acts, by adding a new section thereto to be known as section nineteen *a* (19*a*) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act concerning
3 fees and salaries, and to classify the several counties of this State with refer-
4 ence thereto," approved March 29, 1872, in force July 1, 1872; title as amended
5 by Act approved March 28, 1874, in force July 1, 1874, said Act as amended by
6 subsequent Acts, be, and the same is hereby amended by adding a new section
7 thereto to be known as section nineteen *a* (19*a*) thereof, so that said section when
8 amended shall read as follows:

Probation Officers' Fees.

Sec. 19*a*. *For conveying and delivering children who have been lawfully*
2 *committed to State institutions from any county, each duly appointed probation*

3 officer shall receive the following fees, viz.: Where only one child is conveyed,
4 at the rate of twenty-five (25) cents for each and every mile necessarily traveled
5 in going to the State institution from the place of committment. Where two
6 children are conveyed by the said probation officer at the same time, he shall
7 receive at the rate of twenty-five (25)cents per mile for the first, and fifteen
8 (15) cents per mile for the second child. Where more than two are conveyed at
9 the same time to any State institution as aforesaid, he shall be allowed twenty-
10 five (25) cents per mile for the first, fifteen (15) cents per mile for the second,
11 and ten (10) cents per mile for each additional child.



1 Introduced by Mr. Lyon, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to amend an Act entitled, "An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort," approved June 26, 1913, in force July 1, 1913, by amending section two (2) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for wash rooms in certain employments to protect the health of employees and secure public comfort," approved June 26, 1913, in force July 1, 1913, be, and the same is hereby amended by amending section two (2) thereof, so that said section when amended shall read as follows:

7 Sec. 2. Such wash room shall be so arranged that employees may change
8 their clothing therein, and shall be sufficient for the number of employees en-
9 gaged regularly in such employment; shall be provided with lockers *and a suf-*
10 *ficient number of hooks or suitable hangers*, in which lockers employees may
11 keep their clothing; shall be provided with hot and cold water and with suffi-
12 cient and suitable places and means for using the same; and during cold weather
13 shall be sufficiently heated.



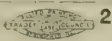
1 Adopted June 11, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 708 by striking out all of section 2, and inserting in

2 lieu thereof the following:

3 “Sec. 2a. Such wash room shall be so arranged that the employees may
4 change their clothing therein and shall be sufficient for the number of employees
5 engaged regularly in such employment; shall be provided with lockers or a suf-
6 ficient number of hangers with hooks, pulleys and chains to suspend the clothing
7 from the ceiling and where employees may keep their clothing; shall be pro-
8 vided with hot and cold water and with sufficient and suitable places and means
9 for using same and during cold weather shall be sufficiently heated.



- 1 Introduced by Mr. Morris, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Public Utilities and Transportation.

A BILL

For an Act making it the duty of railroads operating in whole or in part within the State of Illinois to provide first medical aid to injured passengers, employees or other persons, and providing a penalty for violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all railroads or the receiver or re-
3 ceivers of any railroad operating trains, in whole or in part, within the State
4 of Illinois, shall provide a chest, on each train or engine, containing medicines,
5 bandages and such other surgical appliances and equipment as are necessary
6 for first aid to persons who may be injured in the course of the operation of
7 such train or trains.

Sec. 2. Every such medicine chest first aid and equipment shall include
2 the following and such other articles and equipment as may in the judgment and
3 discretion of the management of the railroad or the medical department thereof
4 be useful for the intended purpose:

5 One dozen assorted bandages each sterilized and wrapped separately, and
6 plainly labeled.

7 One-half dozen packages each containing one yard of aseptic gauze properly
8 sterilized, wrapped and labeled.

9 One pair of scissors for removing clothing.

10 A suitable quantity of ointment or other preparation suitable for applica-
11 tion to burns or scalded surfaces.

12 One-half dozen packages of absorbent cotton each containing not less than
13 two ounces, properly sterilized, wrapped and labeled.

14 One ounce compound spirits of ether or other suitable cardiac stimulant
15 properly labeled with an average dose given thereon.

16 One or more rolls of adhesive plaster.

17 Not less than one dozen safety pins.

18 Six ounces of alcohol.

19 One dozen sublimate tablets in bottles labeled poison, with explicit direc-
20 tions for making a germicidal solution of proper strength.

21 One papier-mache basin suitable for preparation of antiseptic solution. Upon
22 this should be indelibly printed explicit directions as to its sterilization and care
23 after each time it is used.

24 Two towels and one or more tubes of antiseptic soap.

25 Attached to the case, preferably on the inside of the lid, should be a list of
26 the contents and proper directions as to the uses of same.

Sec. 3. The chief surgeon, one of his assistants or other capable physician
2 shall at intervals of six months instruct the men in his jurisdiction in regard to
3 the care of any person injured while such train is running or while about the
4 yards so that there shall be no danger of loss of life or needless suffering if
5 possible to prevent it before a proper medical attendant can be secured for
6 the injured person.

Sec. 4. Any railroad or the receiver or receivers of any railroad who shall
2 fail to comply with the provisions of this Act, shall be liable to a penalty of
3 not less than twenty-five (25.00) dollars nor more than two hundred (200.00)
4 dollars and each day's violation shall constitute a separate offense, and prosecu-
5 tion for said violations shall be instituted by the State Public Utilities Com-
6 mission upon complaint of any citizen of the State.



- 1 Introduced by Mr. Rothschild, April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to Grant and convey to the city of Chicago certain lands for bathing beach, park, recreation and other municipal purposes.

WHEREAS, by a certain decree entered in the Superior Court of Cook
2 county, Illinois, April 5, 1915, the title to a certain tract of land in the city of
3 Chicago, county of Cook and State of Illinois, known and described as follows,
4 to-wit: commencing at a point on the southern boundary line of the northwest
5 fractional quarter (NW frl. $\frac{1}{4}$) of section twelve (12) township thirty-eight
6 (38) north, range fourteen (14) east of the third (3rd) principal meridian,
7 seven hundred sixty-four and thirty-seven hundredths (764.37) feet east of the
8 southwest corner of the northwest fractional quarter (NW frl. $\frac{1}{4}$) of said sec-
9 tion twelve (12) running thence north, parallel with the western boundary line
10 of said northwest fractional quarter (NW frl. $\frac{1}{4}$) to the shores of Lake Michi-
11 gan; thence in a southeasterly direction along the shores of Lake Michigan to
12 the easterly line of the east pier running north and south into the waters of
13 Lake Michigan; thence in a southerly direction along said easterly line of

14 said pier to a point in the line of said southern boundary line of said north-
 15 west fractional quarter (NW $\frac{1}{4}$) extended, and thence west along said southern
 16 boundary line three hundred and thirty hundredths (300.30) feet to the place
 17 of beginning, was adjudged and decreed to be in the State of Illinois, and

18 WHEREAS, the title to said tract of land was by said decree vested, confirmed
 19 and established in the State of Illinois, and

20 WHEREAS, the said tract of land borders on Lake Michigan, is wholly within
 21 the city of Chicago and is useful, desirable and advantageous for bathing
 22 beach, park and other recreation purposes and contains to-wit about 2.797
 23 acres, therefore;

SECTION 1. *Be it enacted by the People of the State of Illinois,*
 2 *represented in the General Assembly:* That the said land or lands located in
 3 the city of Chicago, county of Cook and State of Illinois, described as follows,
 4 to-wit: commencing at a point on the southern boundary line of the northwest
 5 fractional quarter (NW frl. $\frac{1}{4}$) of section twelve (12) township thirty-eight (38)
 6 north, range fourteen (14) east of the third (3rd) principal meridian, seven
 7 hundred sixty-four and thirty-seven hundredths (764.37) feet east of the south-
 8 west corner of the northwest fractional quarter (NW frl. $\frac{1}{4}$) of said section
 9 twelve (12) running thence north, parallel with the western boundary line of
 10 said northwest fractional quarter (NW frl. $\frac{1}{4}$) to the shores of Lake Michigan;
 11 thence in a southeasterly direction along the shores of Lake Michigan to the
 12 easterly line of the east pier running north and south into the waters of Lake
 13 Michigan; thence in a southerly direction along said easterly line of said
 14 pier to a point in the line of said southern boundary line of said northwest

15 fractional quarter (NW frl. 1) extended, and thence west along said southern
16 boundary line three hundred and thirty hundredths (300.30) feet to the place of
17 beginning, together with all piers extending therefrom or connected therewith,
18 be and the same are hereby granted and conveyed to the city of Chicago for
19 bathing beach, park, recreation and other municipal purposes.



1 Adopted May 7, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 710, by inserting in the printed bill, after the word
2 "point" in line four of the preamble thereof the words "fifty feet north of a
3 point," also by inserting after the word "point" in line fourteen of said pre-
4 amble, the words "fifty feet north of a point," also by inserting after the word
5 "point" in line four of section one of the bill the words "fifty feet north of a
6 point," also by inserting after the word "point" in line fourteen of said section
7 one the words "fifty feet north of a point."

AMENDMENT NO. 2.

Amend House Bill No. 710, as printed, by striking out in section 1, line
2 19 the words, "and other municipal" and by adding in same line after the word
3 "park" the word "and."

AMENDMENT NO. 3.

Amend title to House Bill No. 710, as printed, by striking out the words
2 "and other municipal" and by adding the word "and" before the word "recre-
3 ation."

1 Introduced by Mr. Foster, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Fish and Game.

A BILL

For an Act to amend sections four (4), seven (7), twenty-one (21), thirty-five (35), forty-one (41), forty-two (42), forty-three (43), and forty-four (44), of an Act entitled, "An Act for the conservation of game, wild fowl, birds and fish in the State of Illinois, for the appointment of a commission and staff for the enforcement thereof, and to repeal certain Acts relating thereto."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That sections four (4), seven (7), twenty-
3 one (21), thirty-five (35), forty-one (41), forty-two (42), forty-three (43), and
4 forty-four (44), of an Act entitled, "An Act for the conservation of game, wild
5 fowl, birds and fish in the State of Illinois, for the appointment of a commission
6 and staff for the enforcement thereof, and to repeal certain Acts relating there-
7 to," be amended to read as follows:

Sec. 4. It is hereby declared to be unlawful to hunt, kill, net, entrap, en-
2 snare, destroy or attempt to hunt, kill, net, entrap, ensnare or destroy any bob-
3 white quail *for the period of four years from the 1st day of July, A. D. 1915;* or
4 any pinnated grouse (prairie chicken) from the 25th day of November of any

5 year to the 10th day of November (both inclusive) of the next succeeding year,
 6 nor more than three by one person in one day; or any ruffed grouse (partridge),
 7 Mexican blue quail, California mountain quail, California valley quail, Hun-
 8 garian partridge, capercaizie, heath grouse (black grouse), or wood cock for the
 9 period up to and including July 1, 1920; or any gray, red fox or black squirrel
 10 from the 15th day of November to *the 1st day of June* of each succeeding year;
 11 or any of the order of limicolae or shore birds, commonly known as jack-snipe,
 12 Wilson's snipe, sand snipe, or any kind of snipe, or any golden plover, upland
 13 plover or any kind of plover, from the 1st day of May to the 1st day of Septem-
 14 ber (both inclusive) of any year; or any mourning dove from November 1st of
 15 any year to August 15th of the succeeding year, nor more than fifteen by one
 16 person in one day. And it shall be unlawful to kill, hunt, ensnare, entrap or at-
 17 tempt to kill, hunt, ensnare, entrap or otherwise destroy any wild goose, duck,
 18 brant, coot (mud hen), rail or other water fowl at any time from the *first day of*
 19 *April to the 15th* day of September (both inclusive) of each year. And it shall
 20 be unlawful to hunt, kill, entrap, ensnare, or attempt to hunt, kill, entrap, en-
 21 snare or otherwise destroy any wild goose, duck, brant, coot, rail or other water
 22 fowl between the sunset of any day and the sunrise of the next succeeding day at
 23 any period of the year. And it shall further be unlawful at any time to hunt, kill,
 24 entrap, ensnare or attempt to hunt, kill, entrap or ensnare or otherwise destroy
 25 any wild goose, brant, duck, coot, rail, or other water fowl from any fixed or
 26 artificial ambush beyond the lines of natural covering of reeds, canes, willows,
 27 flags, crooked brush, wild rice or other vegetation above the water of any lake,
 28 river, bay, or inlet or other water course wholly within the State, or with the aid
 29 or use of any device commonly called sneak boat, sink box or other device for
 30 the purpose of concealment in the open waters of this State. *And it shall fur-*
 31 *ther be unlawful to hunt, kill, entrap, or ensnare or attempt to hunt, kill, en-*
 32 *trap or ensnare any wild goose, brant, duck, coot, rail or other water fowl by*
 33 *the use of any call ducks or other live decoys.*

34 And it shall be unlawful to shoot, kill, or destroy, or attempt to shoot, kill
35 or destroy any wild goose, duck, brant, coot, rail or other water fowl with a
36 swivel gun or rifle, or from any sail boat, gasoline or electric launch or steam-
37 boat, at any time in any part of the water of any lake, river, bay or inlet or other
38 water course wholly within this State: *Provided*, that it shall be unlawful to kill,
39 entrap, ensnare, or otherwise destroy any of the duck, geese, brant, coot, rail
40 or other water fowl, or any of the order of limicolae or shore birds, commonly
41 known as Jack snipe, Wilson's snipe, sand snipe, or any kind of snipe, or any
42 golden plover, upland plover, or any kind of plover mentioned in this section, at
43 any time for market or other commercial purposes, nor more than *eight* ducks,
44 *two* geese, *two* brant, *ten* coot, *ten* rail, or other water fowl, by one person in
45 one day.

46 Any person or persons so offending shall for each and every offense be
47 deemed guilty of a misdemeanor, and on conviction shall be fined in any sum
48 not less than fifteen nor more than fifty dollars and costs of suit, and shall stand
49 committed to the county jail until such fine and costs are paid: *Provided*, that
50 such imprisonment shall not exceed ten days; and the killing of each bird or ani-
51 mal herein specified shall be deemed a separate offense: *Provided*, that nothing
52 in this section shall be construed to prevent the commission or its wardens or
53 deputies from hunting, ensnaring or entrapping any of the game birds or ani-
54 mals in this section mentioned and transmitting them to other sections of the
55 State, where a scarcity of these game birds or animals exists, for the purpose
56 of propagating and restocking said sections of the State: *And, provided, fur-*
57 *ther*, that before hunting, ensnaring or entrapping, said commission, its war-
58 dens or deputies must first obtain the consent in writing of the tenant or land
59 owner from whose premises said game birds and animals are taken.

Sec. 7. No person or persons shall, at any time, with trap, snare or net, take
2 or attempt to trap, ensnare or net any wild goose, wild duck, brant, rail or other
3 water fowl wild turkey, prairie chicken, quail, grouse, pheasant, Mexican blue
4 quail, Hungarian partridge, California valley quail, or California mountain quail

5 at any time, except as hereinbefore provided; and it shall be unlawful for any
 6 person or persons to bait or feed any of said birds or water fowls with any kind
 7 of seeds or grain for the purpose of trapping, shooting or ensnaring them; *nor*
 8 *feed any domestic duck in waters frequented by any of said water fowl for the*
 9 *purpose of attracting said water fowl to such feeding grounds for the purpose*
 10 *of trapping, shooting or ensnaring them;* and every person so offending shall,
 11 on conviction, be fined in a sum not less than ten dollars nor more than twenty-
 12 five dollars and cost of suit, and shall stand committed to the county jail until
 13 such fine is paid: *Provided*, that such imprisonment shall not exceed fifteen
 14 days.

Sec. 21. For the purpose of preventing unauthorized persons from killing
 2 game and birds, no person or persons shall at any time hunt, pursue or kill with
 3 gun, rabbits or any of the wild animals, fowl or birds that are protected dur-
 4 ing any part of the year without first having procured a license so to do, and
 5 then only during the respective periods of the year when it shall be lawful. Said
 6 license shall be procured from any county, city or village clerk in the following
 7 manner, to-wit: The applicant shall fill out a blank application to be furnished
 8 by the commission to the clerk of each county, city, or village, stating name,
 9 age, occupation and place of residence of applicant, place of birth, if a natural-
 10 ized citizen, the date of the naturalization papers, and the court by which is-
 11 sued, if a minor born beyond the jurisdiction of the United States, the date of
 12 the naturalization papers of the parent or parents and the court by which is-
 13 sued, if any; the fact of having declared his intention of becoming a citizen
 14 of the United States, with the date of such declaration and the court in which
 15 such declaration is filed, said application shall be subscribed and sworn to by
 16 the applicant before said county, city or village clerk, and any applicant who
 17 shall wilfully and corruptly swear falsely shall be deemed guilty of perjury and
 18 punished according, and it is hereby expressly provided that if said county, city
 19 or village clerk, fails to administer the oath as herein provided or antedates
 20 any license, he shall be subject to a fine herein provided for each and every of-

21 fense, the same to be recovered in any court of competent jurisdiction. And
22 said applicant, if a non-resident of the State of Illinois, or if not a citizen of the
23 United States or not having declared his intention of becoming a citizen of the
24 United States, whether a resident of the State of Illinois or not, shall pay to
25 the county clerk the sum of twenty-five dollars as a license fee, together with
26 the sum of fifty cents as the fee of said county clerk for administering the oath
27 to the applicant and issued said license; and if a resident of the State of Illi-
28 nois, and a citizen of the United States, shall pay to the county, city or village
29 clerk, the sum of seventy-five cents as a license fee, together with the sum of
30 twenty-five cents as the fee of said county, city or village clerk for administer-
31 ing the oath to the applicant and issued said license. Said license shall bear the
32 signature of the commission and the seal of the county, city or village in which
33 the same is issued and be countersigned by the said clerk. And such licensee,
34 if a non-resident, is hereby authorized to take from the State not to exceed in
35 the aggregate fifty birds of all kinds killed by himself or herself which shall
36 be carried openly for inspection, together with his or her license. The number
37 of game birds or animals that may be killed in any one day by one person is
38 hereby limited to *eight ducks, two geese, two brant, ten coots, ten rails*, or other
39 water fowl. The number of the limicolae or shore birds that may be killed by
40 one person in one day is hereby limited to fifteen, and fifteen game birds of any
41 other kind, except bobwhite quail, ruffed grouse (partridge), pinnated grouse
42 (prairie chicken), Mexican blue quail, California valley quail, California moun-
43 tain quail, wild turkey, or any kind of pheasants. The number of mourning
44 doves and squirrels that may be killed in any one day by one person is hereby
45 limited to fifteen.

46 Every license issued shall be signed by the licensee in ink, and as afore-
47 said, shall entitle the person to whom issued to hunt, pursue and kill game
48 within the State at any time when it shall be lawful to hunt, pursue and kill such
49 game, and no person to whom a license has been issued shall be entitled to hunt,
50 pursue or kill game or rabbits in this State without at the time of such hunt-

ing, pursuing and killing of game he or she shall have such license in his or her name and upon his or her person ready to exhibit the same for inspection, and such license shall be void after the 1st day of June next succeeding its issue: *Provided*, that the owner or owners of farm lands, their children (if residents of the State) or tenants shall have the right to hunt and kill game on the farm lands of which he or they are the *bona fide* owners or tenants during the season when it is lawful to kill game without procuring such residence license.

Any person found guilty of violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than twenty-five dollars nor more than fifty dollars for each and every offense and shall stand committed to the county jail until such fine and costs are paid, but such imprisonment shall not exceed thirty days for each offense; or such person may be proceeded against in an action of debt in the name of the People of the State of Illinois for the recovery of the penalty herein prescribed.

Sec. 35. It shall be lawful to catch and take all kinds of fish, except pike, pickerel, pike perch (commonly known as jack or yellow salmon), white fish, trout, chubs, long jaws, black fins, lake perch, and herring, with hoop or fyke nets, dip nets, baskets, or with seines, the meshes of which are not less than one and one-half inches square and which do not exceed 600 yards in length, between the first day of June of any year and the first day of May of the next succeeding year.

Sec. 41. It shall be unlawful to catch, take or kill by any means or device whatsoever, or to sell or offer for sale, or have in possession any of the following named fish mentioned below which are less than the length mentioned for each:

- Pike or pickerel, eighteen inches
- White or striped bass, eight inches.
- Black bass, eleven inches.*
- Crappie, eight inches.

9 Yellow or ringed perch, seven inches:

10 Pike perch or wall-eyed pike, thirteen inches.

11 *Provided*, that if any such undersized fish is taken, the person taking it
12 shall immediately return it to the waters from which it was taken, without
13 unnecessary injury to such fish.

14 *Provided, further*, that it shall be unlawful, at any time, to sell, or offer or
15 expose for sale, or have in possession for the purpose of selling, any pike,
16 pickerel, or pike perch (commonly known as wall-eyed pike, jack or yellow
17 salmon), caught, taken or killed in waters within the jurisdiction of this State:
18 *And provided, also*, that pike, pickerel, and pike perch (commonly known as
19 wall-eyed pike, jack or yellow salmon) may be caught, taken or killed only with
20 line held in hand, or attached to a rod, with or without reel attached held in
21 the hand.

Sec. 42. It shall be unlawful to catch, take or kill by any means or de-
2 vice whatsoever, or to sell or offer for sale, or have in the possession (unless
3 caught with hook and line) any of the following named fish mentioned below,
4 which are less than the weight or length mentioned for each:

5 *Black bass, eleven inches.*

6 *Buffalo, twelve inches.*

7 *German carp, twelve inches.*

8 *Sunfish, six inches.*

9 *Blue or channel catfish, thirteen inches.*

10 *Whitefish, one and one-quarter pounds, dressed.*

11 *Lake trout, one and one-quarter pounds, dressed.*

12 *White perch, ten inches.*

13 *Bullhead cat, seven inches.*

14 *Turtle or terrapin, seven inch shell.*

15 The possession by any person of any fish under the size or weight pre-
scribed in this section, except as hereinbefore provided for, shall be *prima facie*
16 evidence that such fish were the property of the State of Illinois at the time

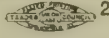
17 they were caught, taken and killed, and that such fish were caught, taken and
 18 killed in this State. Any person receiving in due course of business any fish
 19 less than the weight or size prescribed in this section, shall immediately, upon
 20 receipt of such fish, notify the commission, a warden or deputy warden of such
 21 fact. Upon receipt of such notice it shall be the duty of the commission, the war-
 22 den or deputy warden, as the case may be, to seize same and donate such fish
 23 to some public or charitable institution.

Sec. 43. It shall be unlawful at any time to transport or ship any pike,
 2 pickerel, or pike perch (commonly known as wall-eyed pike, jack or yellow sal-
 3 mon) caught in waters under the jurisdiction of this State: *Provided*, that any
 4 person may carry with him, or transport as baggage on any train or conveyance
 5 for which he has purchased a transportation ticket, one package and no more,
 6 at any time, and during any one day, containing not more than twenty-five
 7 pounds of pike, pickerel and pike perch (commonly known as wall-eyed pike, jack
 8 or yellow salmon) legally caught and taken in the waters under the jurisdiction
 9 of this State: *Provided*, that such package, when offered as baggage, shall be
 10 plainly labeled so as to show the name of the person offering the same for trans-
 11 portation, the place to which it is to be transported and the number of fish of
 12 each kind contained therein, and the number of the license of the person offering
 13 such fish for transportation, if any such license is required.

Sec. 44. It shall be unlawful to sell or ship, offer for sale or shipment, or
 2 receive for shipment, from and including the first day of May to and including
 3 the *first day of June* of each year any fish or frogs caught in any of the waters,
 4 under the jurisdiction of this State: *Provided*, that white fish, trout, long jaws,
 5 chubs, black fins, herring and lake perch of lawful size may be sold or shipped,
 6 offered for sale or shipment, or received for shipment, at any time: *Provided*,
 7 *further*, that pickerel, pike or pike perch (commonly known as wall-eyed pike,
 8 jack or yellow salmon) lawfully caught in waters under the jurisdiction of this
 9 State, may be lawfully transported as baggage and as provided for in section

10 43, from the 11th day of June of any year to the 31st day of March (both in-
11 clusive) of the succeeding year.

12 The possession of any such fish, or shipment of fish or in transit shall be
13 *prima facie* evidence of a violation of this section: *Provided*, that the provisions
14 of this section shall not apply to the transportation of fish into or through this
15 State or out of it by the commission, or the duly authorized representative of
16 any other State, or of the United States: *Provided, further*, that there shall be
17 allowed five days after the close of the fishing season to dispose of or to ship all
18 fish legally caught and taken previous to the close of the fishing season.



1 Introduced by Mr. W. M. Brown, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act to create a commission to acquire for the use of the State certain real estate and to erect a Centennial Memorial Building thereon and to make an appropriation therefor.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That a commission, to be known as the
3 Centennial Building Commission, consisting of the Governor, Secretary of State,
4 Superintendent of Public Instruction, chairman of the State Art Commission,
5 president of the State Historical Society and two persons, not more than one of
6 whom shall belong to any one political party, to be appointed by the Governor,
7 is hereby constituted with full power to carry out the provisions of this Act.

Sec. 2. It shall be the duty of the said commission to meet and organize as
2 soon as practicable after this Act shall take effect by electing one of their num-
3 ber chairman and another secretary.

Sec. 3. The said commission shall by gift, purchase, condemnation or
2 otherwise, proceed to acquire for the uses of the State the property in the city

3 of Springfield, Illinois, bounded on the north by the Capitol grounds, on the
 4 east by Second street, on the south by Edwards street, and on the west by
 5 Spring street, or any part thereof; and said commission is hereby vested with
 6 the power to obtain the said site, or any part thereof, under the eminent domain
 7 law of this State.

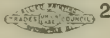
Sec. 4. When title to said real estate shall have been acquired by the State,
 2 the commission shall proceed to erect thereon a building of a character suitable
 3 as an appropriate permanent memorial of the one hundredth anniversary of the
 4 admission of Illinois into the Union.

Sec. 5. The said memorial building shall be of such character as to house
 2 some of the departments of the State government. Said building shall further
 3 be so located and of such character that wings thereon or additions thereto may
 4 hereafter be added as the same may from time to time be required by the needs
 5 of the State.

Sec. 6. The appropriation hereinafter made shall not become available, ex-
 2 cept as to such part thereof as may be required for the uses of said commission
 3 other than for the purchase of real estate or the construction of a building there-
 4 on, until the citizens of the city of Springfield, or some one in their behalf,
 5 shall secure in a manner satisfactory to said commission that the sum of \$100,000
 6 will be placed at the disposal of said commission to be used by it in part payment
 7 of said real estate: *Provided, however,* that there may be counted as part of
 8 said sum of \$100,000 the fair cash value, as determined by said commission of
 9 any part of said real estate which may be conveyed to the State free of ex-
 10 pense to it.

Sec. 7. For the purpose of carrying out the provisions of this Act and se-
 2 curing a site and beginning the construction of said building, there is hereby
 3 appropriated, in addition to any sums which may be placed at the disposal of
 4 said commission from sources other than the State treasury, the sum of \$250,000.

Sec. 8. The Auditor of Public Accounts is hereby authorized and empow-
2 ered to draw warrants upon the State Treasurer for all or any part of the sum
3 hereinbefore appropriated, upon vouchers signed by the chairman and secretary
4 of said commission and approved by the Governor.



1 Introduced by Mr. Morrasy, April 15, 1915.

2 Read by title, ordered printed and referred to Committee on Industrial Affairs.

A BILL

For an Act to provide for the health, safety and comfort of employees in factories, mercantile establishments, mills and workshops in this State, and to provide for the enforcement thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That all power driven machinery, includ-
3 ing all saws, planers, wood shapers, jointers, sand paper machines, iron
4 mangles, emery wheels, ovens, furnaces, forges and rollers of metal; all pro-
5 jecting set screws on moving parts; all drums, cogs, gearing, belting, shafting,
6 tables, fly wheels, flying shuttles and hydro-extractors; all laundry machinery,
7 mill gearing and machinery of every description; all systems of electrical wir-
8 ing or transmission; all dynamos and other electrical apparatus and appliances;
9 all vats or pans, and all receptacles containing molten metal or hot or corrosive
10 fluids in any factory, mercantile establishment, mill or workshop, shall be so
11 located wherever possible, as not to be dangerous to employees or shall be prop-
12 erly enclosed, fenced or otherwise protected. All dangerous places in or about
13 mercantile establishments, factories, mills or workshops, near to which any em-

14 ployee is obliged to pass, or to be employed shall, where practicable, be prop-
 15 erly enclosed, fenced or otherwise guarded. No machine in any factory, mer-
 16 cantile establishment, mill or workshop, shall be used when the same is known
 17 to be dangerously defective, and no repairs shall be made to the active mechan-
 18 ism or operative part of any machine when the machine is in motion.

Sec. 2. No person shall remove or make ineffective any safe-guard re-
 2 quired by this Act, during the active use or operation of the guarded machine
 3 or device, except for the purpose of immediately making repairs thereto, and all
 4 such safeguards so removed shall be promptly replaced.

Sec. 3. In every factory, mercantile establishment, mill or workshop, effec-
 2 tive means shall be provided for immediately disconnecting the power, so that
 3 in case of need or accident, any particular machine, group of machines, room or
 4 department, can be promptly and effectively shut down.

5 (a) Where machines require to be started and stopped frequently, they
 6 shall, wherever practicable, be provided with tight and loose pulleys, clutch or
 7 other effective disengaging device. When provided with tight and loose pulleys,
 8 the shifting of the belt shall be accomplished by the use of a belt shifter, placed
 9 within easy reach of the operator. When a clutch, or other disengaging device
 10 is used, an effective means for throwing such device into or out of engagement
 11 shall be provided, and shall be placed within easy reach of the operator.

12 (b) Where machines are direct connected with the prime mover, (electric
 13 motor, steam, gas or gasoline engine, or other source or power), a switch,
 14 throttle, or other power controlling device shall be furnished and shall be placed
 15 within easy reach of the operator, or his co-worker.

16 (c) Where machines are arranged in groups, rooms or departments, and
 17 power is supplied by a prime mover, located within the confines of such group,
 18 room or department, a switch, throttle, or other power controlling device shall
 19 be furnished, and shall be placed within easy reach of the operators affected, so
 20 that all shafting, transmitting machinery and machines of such group, room or
 21 department, can be simultaneously shut down.

22 (d) When machines are arranged in groups, rooms or departments, and
23 are supplied by power through the use of main or line shafts, receiving power
24 from some prime mover, located without the group, room or department, the
25 power receiving wheel of such main or line shaft, shall, wherever possible, be
26 provided with a friction clutch, or other effective power disengaging device, with
27 suitable means for operating the clutch, or power disengaging device, and these
28 means shall be placed within the confines of such group, room or department, and
29 within easy reach of the employees or operatives affected, so that all machines,
30 shafting and other transmission machinery within such group, room or depart-
31 ment, can be simultaneously shut down. In addition to such safeguard, com-
32 munication, consisting of speaking tubes, electric bells, electric colored lights,
33 or other approved and effective means, shall be provided in all cases covered by
34 this paragraph between each such group, room or department, and the room in
35 which the engineer, or prime mover, is located, so that in case of need or acci-
36 dent, the motive power of such group, room or department can be promptly
37 stopped or controlled.

Sec. 4. All hoists ways, hatch ways, elevator wells and wheel holes in fac-
2 tories, mercantile establishments, mills or workshops, shall be securely fenced,
3 inclosed or otherwise safely protected, and due diligence shall be used to keep
4 all such means of protection closed, except when it is necessary to have the
5 same open, in order that the said hatch ways, elevators or hoisting apparatus
6 may be used. All elevator cabs or cars, whether used for freight or passen-
7 gers, shall be provided with some device, whereby the car or cab may be held
8 in the event of accident to the shipper rope or hoisting machinery or controlling
9 apparatus.

Sec. 5. If any elevator, machine, electrical apparatus or system of wiring,
2 or any part or parts thereof, in any factory, mercantile establishment, mill or
3 workshop, are in an unsafe condition, or are not properly guarded, where reason-
4 able to guard the same, the owner or lessee, or his agent, superintendent or other

5 person in charge thereof, shall, upon notice from the Chief State Factory In-
 6 spector, or the Assistant Chief State Factory Inspector, remedy such un-
 7 safe condition within a reasonable time after receiving such notice.

Section 6. No employee of any factory, mercantile establishment, mill or
 2 workshop, shall operate or tamper with any machine or appliance with which
 3 such employee is not familiar and which is in no way connected with the regular
 4 and reasonable necessary duties of his employment, unless it be by and with the
 5 direct or reasonably implied command, request, or direction of the master or
 6 representative or agent.

Sec. 7. The traversing carriage of any self-acting machine must not be
 2 allowed to run out within a distance of eighteen (18) inches from any fixed
 3 structure, not being part of the machine, if the space over which it runs out is
 4 a space through which any employee is liable to pass, whether in the course of
 5 his employment or otherwise.

Sec. 8. No employee shall take or be allowed to take food into any room
 2 or apartment in any factory, mercantile establishment, mill or workshop, where
 3 white lead, arsenic or other poisonous substances or injurious or noxious
 4 fumes, dusts or gases under harmful conditions are present, as the result of the
 5 business conducted by such factories, mercantile establishments, mills or work-
 6 shops, and notice to this effect shall be posted in each room or apartment. Em-
 7 ployees shall not remain in any such room or apartment during the time allowed
 8 for meals, and suitable provision shall be made and maintained by the employ-
 9 er, when practicable, for enabling the employees to take their meals elsewhere in
 10 such establishment: *Provided, however,* that this section shall not apply to
 11 such employees whose presence during meal hours may be necessary for the
 12 proper conduct of such business.

Sec. 9. That every person, firm or corporation employing females in any
 2 factory, mercantile establishment, mill or workshop in this State, shall provide

3 a reasonable number of suitable seats for the use of such female employees,
4 and shall permit the use of such seats by them when they are not necessarily
5 engaged in the active duties for which they are employed, and shall permit the
6 use of such seats at all times when such use would not actually and necessarily
7 interfere with the proper discharge of the duties of such employees, and where
8 practicable, such seats shall be made a permanent fixture and may be so con-
9 structed or adjusted that when said seats are not in use, they will not obstruct
10 such female employee, when engaged in the performance of her duties.

Sec.10. In every factory, mercantile establishment, mill or workshop,
2 where one or more persons are employed, adequate measures shall be taken for
3 securing and maintaining a reasonable, and as far as possible, equable temper-
4 ature, consistent with the reasonable requirements of the manufacturing process.
5 No unnecessary humidity which would jeopardize the health of employees shall
6 be permitted.

Sec. 11. In every room or apartment of any factory, mercantile establish-
2 ment, mill or workshop, where one or more persons are employed, at least five
3 hundred (500) cubic feet of air space shall be provided for each and every
4 person employed therein, and fresh air, to the amount specified in this Act, shall
5 be supplied in such a manner as not to create injurious drafts, nor cause the
6 temperature of any such room or apartment to fall materially below the aver-
7 age temperature maintained: *Provided*, where lights are used which do not con-
8 sume oxygen, 250 cubic feet of air space shall be deemed sufficient. All rooms
9 or apartments of any factory, mercantile establishment, mill or workshop, hav-
10 ing at least 2,000 cubic feet of air space for each and every person employed
11 in each room or apartment, and having outside windows and doors whose area
12 is at least one-eighth of the total floor area, shall not be required to have arti-
13 ficial means of ventilation; but all such rooms or apartments shall be properly
14 aired before beginning work for the day and during the meal hours. All such
15 rooms, or apartments, having less than 2,000 cubic feet of air space, but more

16 than 500 cubic feet of air space, for each and every person employed therein,
 17 and which have outside windows, and doors whose area is at least one-eighth
 18 of the floor area, shall be provided with artificial means of ventilation, which
 19 shall be in operation when the outside temperature requires the windows to
 20 be kept closed, and which shall supply during each working hour at least 1,500
 21 cubic feet of fresh air for each and every person employed therein.

22 All such rooms or apartments, having less than 500 cubic feet of air space
 23 for each and every person employed therein, all rooms or apartments having no
 24 outside windows or doors, and all rooms or apartments having less than 2,000
 25 cubic feet of air space for each and every person employed therein, and in
 26 which the outside window and door area is less than one-eighth of the floor area,
 27 shall be provided with artificial means of ventilation, which will supply during
 28 each working hour throughout the year, at least 1,800 cubic feet of fresh air for
 29 each and every person employed therein: *Provided*, that the provisions of the
 30 preceding portions of this section shall not apply to storage rooms or vaults:
 31 *And, provided, further*, that the preceding portions of this section shall not
 32 apply to those rooms or apartments in which manufacturing processes are car-
 33 ried on which from their peculiar nature would be materially interfered with
 34 by the provisions of this section. No part of the fresh air supply required by
 35 this section shall be taken from any cellar or basement.

36 The following terms of this section shall be interpreted to mean: The air
 37 space available for each person is the total interior volume of a room, ex-
 38 pressed in cubic feet, without any deductions for machinery contained therein,
 39 divided by the average number of persons employed therein.

40 Outside windows and doors are those connecting directly with the outside
 41 air; the window and door area is the total area of the windows and doors of all
 42 outside openings; and the floor area is the total floor area of each room.

Sec. 12. All factories, mercantile establishments, mills or workshops shall
 2 be kept free from gas or effluvia arising from any sewer, drain, privy or other
 3 nuisance on the premises. All poisonous or noxious fumes or gases arising

4 from any process, and all dust of a character injurious to the health of the per-
5 sons employed, which is created in the course of a manufacturing process, with-
6 in such factory, mill or workshop, shall be removed, as far as practicable, by
7 either ventilating or exhaust devices.

Sec. 13. All decomposed, fetid or putrescent matter, and all refuse, waste
2 and sweepings of any factory, mercantile establishment, mill or workshop, shall
3 be removed and disposed of, at least once each day, and in such a manner as
4 not to cause a nuisance; and all cleaning shall be done, as far as possible, out-
5 side of working hours; but if done during working hours, shall be done in such
6 a manner as to avoid the unnecessary raising of dust or noxious odors. In every
7 factory, mill or workshop, in which any process is carried on which makes the
8 floors, wet, the floor shall be constructed and maintained with due regard to the
9 health of employees, and gratings or dry standing rooms shall be provided if
10 practicable, at points where employees are regularly stationed, and adequate
11 means shall be provided for drainage, and for preventing seepage or leakage
12 to the floors below.

Sec. 14. In all factories, mercantile establishment, mills or workshops, suffi-
2 cient and reasonable means of escape in case of fire shall be provided, by more
3 than one means of egress, and such means of escape shall at all times be kept free
4 from any obstruction and shall be kept in good repair and ready for use, and
5 shall be plainly marked as such.

Sec. 15. All doors used by employees as entrances to or exits from any
2 factory, mercantile establishment, mill or workshop, of a height of two stories
3 or over, shall open outward, slide or roll, and shall be so constructed as to be
4 easily and immediately opened from within in case of fire or other emergency.

Sec. 16. Proper and substantial hand rails shall be provided on all stair-
2 ways in factories mercantile establishment, mills or workshops, and the treads
3 on all stairways shall be so constructed as to furnish a firm and safe foothold.

Sec. 17. In all factories, mercantile establishments, mills or workshops, a
 2 proper light shall be kept burning by the owner or lessee in all main passageways,
 3 main hallways, at all main stairs, main stair landings and shafts, and in front
 4 of all passenger or freight elevators, upon the entrance floors and upon the
 5 other floors, on every work day of the year, from the time that the building is
 6 opened for use until the time when it is closed, except at times when the influx
 7 of natural light shall make artificial light unnecessary: *Provided*, that when two
 8 or more tenants occupy different floors in one buiding, such elevator shafts
 9 need be lighted only on the floors occupied and used by employees.

Sec. 18. No floor space of any work room in any factory, mercantile estab-
 2 lishment, mill or workshop, shall be so overloaded with machinery or other ma-
 3 terial as thereby to cause serious risk to or endanger the life or limb of any
 4 employee, nor shall there be permitted in any such establishment a load in ex-
 5 cess of the safe sustaining power of the floors and walls thereof.

Sec. 19. In all factories, mercantile establishments, mills or workshops,
 2 machines must not be placed so closely together as to be a serious menace to
 3 those that have to pass between them. Passageways must be of ample width and
 4 head room and must be kept well lighted and free from obstructions.

Sec. 20. Every factory, mercantile establishment, mill or workshop shall
 2 be provided with a sufficient number of water closets, earth closets or privies,
 3 within reasonable access of the persons employed therein, and such water closets,
 4 earth closets, or privies shall be supplied in the proportion of at least one (1)
 5 to every thirty (30) male persons and one (1) to every twenty-five (25) female
 6 persons; and whenever both male and female persons are employed, said water
 7 closets and privies shall be provided separate and apart for the use of each sex,
 8 and plainly marked by which sex they are to be used; and no person or persons
 9 shall be allowed to use the closets or privies assigned to the opposite sex; and
 10 such water closets or privies shall be constructed in an approved manner and
 11 properly enclosed, and at all times kept in a clean and sanitary condition. The

12 closets or privies, where practicable, shall be located so that they shall have
13 direct ventilation with the outside air; where it is impracticable to locate the
14 closets or privies so as to have direct ventilation with the outside air, they shall
15 be placed in an enclosure, and every such closet or privy, shall be properly and
16 effectively disinfected and separately ventilated, and shall be properly lighted
17 by artificial light, except when the influx of natural light makes artificial light
18 unnecessary: *Provided*, that nothing in this section shall be construed to prevent
19 any city, town or village, by appropriate ordinance or regulation, from prohibit-
20 ing the construction, use or maintenance in such city, town or village, of any
21 kind of earth closets, or privies, which may be considered a nuisance or detri-
22 mental to the public health.

Sec. 21. In all factories, mercantile establishments, mills or workshops,
2 adequate washing facilities shall be provided for the employees, where neces-
3 sary, and in such case in all factories, mills and workshops not less than one
4 spigot, basin or receptacle shall be provided for each thirty (30) employees,
5 and in mercantile establishments not less than one spigot basin or receptacle
6 shall be provided for each fifty (50) employees. Where the labor performed by
7 the employee is of such a character as to make customary or necessary a change
8 of clothing by the employees, there shall be provided sanitary and suitable
9 dressing room or rooms, and both such dressing rooms and washing facilities
10 shall be separately maintained for each sex: *Provided*, that nothing in this Act
11 shall be construed as abrogating or repealing any provision of section five (5)
12 of an Act entitled, "An Act to provide for the licensing of plumbers, and to
13 supervise and inspect plumbing," approved June 10, 1897, and in force July 1,
14 1897, or the provisions of any local ordinance or regulation of any city, town or
15 village, requiring approved and sufficient methods of sanitation, light, heat,
16 drainage or ventilation of an equal or superior standard to that required in this
17 Act.

Sec. 22. It shall be the duty of every person, firm or corporation to which
 2 the provisions of this Act may apply, to carry out the same, and make all the
 3 changes and additions necessary therefor, and in every way to comply with all
 4 the provisions of this Act, and it shall be the duty of the owner of the build-
 5 ing in which is located any such factory, mercantile establishment, mill or work-
 6 shop, to permit any alterations or additions to such building as may be necessary
 7 to comply with the provisions of this Act.

Sec. 23. Whenever, by the provisions of this Act, it is made the duty of any
 2 person, firm or corporation within this State, to make or install any alterations,
 3 additions or changes, the same shall be made and installed in conformity with
 4 the provisions of this Act, and completed within a reasonable time after notifica-
 5 tion by the Chief State Factory Inspector or his deputy.

Sec. 24. It shall be the duty of the owner or lessee, or superintendent or
 2 person in charge of any factory, mercantile establishment, mill or workshop in
 3 this State, to send to the Chief State Factory Inspector, in writing, an immedi-
 4 ate report of all accidents or injuries resulting in death. It shall also be the
 5 duty of the person in charge of such factory, mercantile establishment, mill or
 6 workshop, to report between the 15th and 25th of each month, all accidents or
 7 injuries occurring during the previous calendar month, which entailed a loss to
 8 the person injured of fifteen (15) consecutive days' time or more. All reports
 9 shall state the cause and character of the injury, character of employment and
 10 the age and sex of the person injured. No statement contained in any such re-
 11 port shall be admissable in evidence in any action arising out of the death or
 12 accident therein reported: *Provided*, that any such employer who shall make the
 13 reports of accidents, required by this Act, shall not be required to make such re-
 14 ports to any other State officer, board or commission.

Sec. 25. It shall be the duty of the Chief State Factory Inspector, and of
 2 the Assistant Chief State Factory Inspector, and deputy factory inspectors,
 3 under the direction and supervision of the Chief State Factory Inspector, to

4 enforce the provisions of this Act, and to prosecute all violations of the same
5 before any magistrate or any court of competent jurisdiction in this State, and
6 for that purpose they and each of them are hereby empowered to visit and in-
7 spect, at all reasonable times, all such factories, mercantile establishments, mills
8 and workshops in this State: *Provided*, that whenever any secret process is
9 used in any factory, mercantile establishment, mill or workshop the owner shall,
10 whenever asked by the Chief State Factory Inspector or the Assistant Chief
11 State Factory Inspector, file with him an affidavit that the owner has in all re-
12 spects complied with the provisions of this Act and such affidavit shall be ac-
13 cepted in lieu of inspection of any room or apartment in which such secret pro-
14 cess is carried on.

15 In the enforcement of the provisions of this Act the Chief State Factory
16 Inspector, and the Assistant Chief State Factory Inspector, and the deputy fac-
17 tory inspectors, under the direction and supervision of the Chief State Factory
18 Inspector, shall give proper notice in regard to any violation of this Act to the
19 persons owning, operating or managing any such factory, mercantile establish-
20 ment, mill or workshop. Such notice shall be written or printed and signed
21 officially by the Chief State Factory Inspector, or the Assistant Chief State Fac-
22 tory Inspector, and said notice may be served by delivering the same to the per-
23 son upon whom service is to be had, or by leaving at his usual place of abode,
24 or business, an exact copy thereof, or by sending a copy thereof to such person
24½ by mail.

25 When general changes relative to the location and spacing of machinery or
26 to ventilation have been made and such changes comply with the provisions of
27 this Act, such arrangements, conditions remaining the same, shall not be dis-
28 turbed by any requirement of the Chief State Factory Inspector or his deputies
29 within the period of twelve (12) months.

Sec. 26. Any person, firm or corporation who shall, or any agent, manager
2 or superintendent of any person, firm or corporation, who for himself or for
3 such person, firm or corporation, shall violate any of the provisions of this Act,

4 or who omits or fails to comply with any of the foregoing requirements of this
5 Act, or who disregards any notice of the Chief State Factory In-
5½ spector, or of the Assistant Chief State Factory Inspector, when said
6 notice is given in accordance with the provisions of this Act; or who abstracts
7 or interferes with any examination or investigation being made by a State Fac-
8 tory Inspector, under this Act, or any employee in any such factory, mercan-
9 tile establishment, mill or workshop who shall remove or interfere with any
10 guard or protective or sanitary device, required by the provisions of this Act,
11 except as hereinbefore provided, or who shall violate any of the other provisions
12 of this Act, shall be deemed guilty of a misdemeanor, and on conviction there-
13 of, shall be punished for the first offense by a fine of not less than ten (\$10.00)
14 dollars nor more than fifty (\$50.00) dollars; and upon conviction of the second
15 or subsequent offense, shall be fined not less than twenty-five (\$25.00) dollars;
16 nor more than two hundred (\$200.00) dollars; and in each case shall stand com-
17 mitted until such fine and costs are paid unless otherwise discharged by due
18 process of law.

Sec. 27. Whenever any inspection of machinery, ways, means, instruments
2 or appliances in, on, about or connected with any factory, mill, mercantile
3 establishment or workshop is required to be made by the ordinance of any city,
4 town or village of a standard equal to that of this Act and the inspection re-
5 quired by such ordinances has been made, then and in every such case such in-
6 spection shall be accepted by the Chief State Factory Inspector, the Assistant
7 Chief State Factory Inspector and the deputy factory inspectors as a compli-
8 ance in that respect with the provisions of this Act; and it shall be the duty
9 of the person for whom such inspection has been made to furnish the Chief
10 State Factory Inspector, or his assistant or deputies, with a copy of the report
11 of inspection made under such ordinances.

Sec. 28. The provisions of this Act relating to sanitation and ventilation
2 shall not be held to apply to such rooms or apartments of any factory, mercan-
3 tile establishment, mill or workshop, which are being operated under the super-

4 vision of the federal government, by virtue of an Act of Congress entitled, "An
5 Act making appropriations for the Department of Agriculture for the fiscal
6 year ending June thirtieth, nineteen hundred and seven (June 30, 1907)," ap-
7 proved June 30, 1906, or any amendment thereof; nor shall any other of the
8 provisions of this Act so apply respecting matters and conditions over which the
9 federal government now exercises or shall hereafter exercise jurisdiction.

Sec. 29. The following terms used in this Act shall have the following
2 meaning: The term "factory" means any premises wherein electricity, steam,
3 water or other mechanical power is used to move or work any machinery em-
4 ployed in preparing, manufacturing or finishing, or any process incident to the
5 manufacturing of any article or part of any article; or the altering, repairing,
6 ornamenting or the adapting for sale of any article. The term "mill or work-
7 shop" shall include any premises, room or apartment not being a factory as
8 above defined, wherein any labor is exercised by way of trade or for the purpose
9 of gain in or incidental to any process of making, altering, preparing, cleaning,
10 repairing, ornamenting, finishing or adopting for sale any article or part of any
11 article, and to which or over which building, premises, room or apartment, the
12 employer of the person employed or working therein has the right of access or
13 control: *Provided, however,* that a private house or private room in which
14 manual or other labor is performed by a family dwelling therein, or by any of
15 them for the exclusive use of the members of such family is not a factory, mill
16 or workshop, within this definition. The term "mercantile establishment" shall
17 include all concerns or places where goods, wares or merchandise are purchased
18 or sold, either at wholesale or retail.

Sec. 30. Copies of this Act shall be printed in English and such other
2 languages as may be necessary to disseminate a general knowledge of the pro-
3 visions herein set forth and shall be supplied by the Chief State Factory Inspec-
4 tor on application.

Sec. 31. For the purpose of disseminating a general knowledge of the provisions of this Act among employees, the Chief State Factory Inspector shall have prepared a notice covering the salient features of this Act, which may be in the following form:

NOTICE TO OWNERS AND EMPLOYEES OF MERCANTILE ESTABLISHMENTS, FACTORIES, MILLS AND WORKSHOPS.

This notice must be posted in a conspicuous place, in every office and workroom of this establishment. The object of this notice is to promote the health, comfort and safety of employees, and requires their attention and co-operation.

1. All machinery when in operation is dangerous, and should be considered so by the operator. It should be so protected as to offer the least possible chance for injury to those who operate it.

2. All machinery must be daily inspected by the operator, and upon discovery of any defects, notice of the same shall be given at once to any one in authority, and the machine not used until repaired.

3. All set screws or other dangerous projections on revolving machinery shall be countersunk or otherwise guarded when possible.

4. Means shall be provided and placed within convenient reach for promptly stopping any machine, group of machines, shafting or other power transmitting machinery.

5. Machines must not be placed so closely together as to be a serious menace to those who have to pass between them. Passageways must be of ample width and head room, and must be kept well lighted and free from obstructions.

6. All hatchways, elevator wells or other openings in floors shall be properly enclosed or guarded.

7. The premises must be kept in clean and sanitary condition.

8. Ample and separate toilet facilities for each sex shall be provided, and toilet rooms must be kept clean, well ventilated and well lighted.

28 9. Food must not be taken into any work room where white lead, arsenic or
29 other poisonous substances or gases are present under harmful conditions.

30 10. Proper and sufficient means of escape, in case of fire, shall be pro-
31 vided, and shall be kept free from obstructions.

32 11. Poisonous and noxious fumes or gases, and dust injurious to health,
33 arising from any process, shall be removed, as far as practicable.

34 12. All employees are strictly prohibited from attempting to operate, ex-
35 periment or tamper with machines or appliances with which they are not fam-
36 iliar and which are in no way connected with their regular duties. All em-
37 ployees are prohibited from jumping on or off moving cars, elevators, machines
38 or appliances not under their immediate charge or control. All employees are
39 prohibited from carrying to their place of work acids, chemicals or explosives
40 of any kind which are liable to endanger life or property.

41 13. Reports must be sent to the office of the State Factory Inspector, as
42 provided by law, and immediately notice of the death of any employee resulting
43 from accident or injuries must be sent to the same office.

44 The notice shall be printed on card board of suitable character, and the type
45 used shall be such as to make it easily legible. In addition to English, this
46 notice shall be printed in such other languages as may be necessary to make it
47 intelligible to employees. Copies shall be supplied by the Chief State Factory
48 Inspector on application, and must be posted in a conspicuous place in every office
49 and work room of every establishment covered by the provisions of this Act.

Sec. 32. This Act shall take effect and be in force on and after January
2 1, 1916.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 713

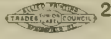
1915



1 Adopted May 21, 1915.

AMENDMENT NO. 2.

Amend House Bill No. 713, by striking out section 32.



- 1 Introduced by Mr. Roderick (by request), April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to mortgages of real and personal property," approved March 26, 1874, in force July 1, 1874, as subsequently amended, by adding thereto three (3) new sections to be known as sections four *a* (4a), four *b* (4b) and four *c* (4c).

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to mortgages of real and personal property," approved
4 March 26, 1874, in force July 1, 1874, as subsequently amended, be and the same
5 is hereby amended by adding thereto three (3) new sections to be known, respec-
6 tively, as sections four *a* (4a), four *b* (4b), and four *c* (4c), which said sections
7 shall read as inserted at length herein.

Sec. 4a. *Every contract executed to secure the purchase money for personal*
2 *property at the initial sale thereof at retail, for personal property actually sold*
3 *and delivered, conditioned that the title thereto shall remain in the vendor after*
4 *delivery until such chattels are paid for, or until the occurrence of a future event*

5 or contingency, shall be void against subsequent purchasers, pledges, or mort-
 6 gages in good faith, and as to them the sale shall be deemed absolute, unless
 7 the contract of sale containing such conditions and reservations or a true copy
 8 thereof be filed with the recorder of the county in which the vendee shall reside
 9 or in case the vendee is not a resident of the State, then in the county where the
 10 property is situated. No such contract shall be admitted to record unless it shall
 11 have attached thereto and filed therewith the affidavit of the vendor, his, her or
 12 their agents, such affiant being a resident of the State of Illinois and such af-
 13 fidavit stating the names of the vendor and vendee, a description of the prop-
 14 erty, the purchase price thereof, the amount paid, the amount due, that same is
 15 for purchase money and that said property was actually sold and delivered to
 16 the order of said purchaser.

Sec. 4b. Whenever personal property is sold upon condition that the title
 2 thereto shall remain in the vendor, until the payment of the purchase price, or
 3 until the occurrence of a future event or contingency and the same is retaken
 4 by the vendor, his or their successors in interest, the vendor or his or their suc-
 5 cessors in interest shall immediately, upon retaking, deliver unto the vendee, a
 6 true statement in writing of the amount of the original contract, the amount paid
 7 thereon and the balance due. In the event of the inability to deliver such state-
 8 ment to such vendee, a statement shall be delivered to the person in possession
 9 of the goods where found, or in case such person is not found, such notice shall
 10 be posted at the place where the property is found. Such property shall be re-
 11 tained by the vendor for a period of forty-five (45) days after the giving of such
 12 notice and during such period the vendee, his, her or their successors in interest
 13 may recover the property upon payment of the amount due as shown in said
 14 statement.

Sec. 4c. That whoever, without the consent of the vendor, sells, secretes,
 2 destroys, encumbers or converts to his or her own use or otherwise disposes of
 3 any goods, merchandise or personal property, the possession of which has been

4 given to such person under an agreement to purchase the same in installment
5 payments or otherwise shall be deemed guilty of a misdemeanor and upon con-
6 viction thereof shall be fined not more than three hundred dollars (\$300.00) or
7 imprisoned in the county jail not more than six months or both at the discre-
8 tion of the court.

9 Any vendor, his or their agent, making a false affidavit or otherwise vio-
10 lating this Act, shall be deemed guilty of a misdemeanor and shall be fined not
11 more than six hundred dollars (\$600.00) or imprisoned in the county jail not
12 more than one year or both at the discretion of the court.



- 1 Introduced by Mr. Roderick (by request), April 15, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

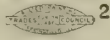
For an Act to amend an Act entitled, "An Act to regulate and prohibit sensational or false advertisements in newspapers or otherwise, and providing penalties for the violation thereof," approved June 11, 1897, in force July 1, 1897, by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to regulate and prohibit sensational or false advertisements in newspapers or otherwise, and providing penalties for the violation thereof," approved June 11, 1897, in force July 1, 1897, be and the same is hereby amended by amending section one (1) thereof so that the said section one (1) when amended shall read
7 as follows:

8 Sec. 1. That no person, firm, association or corporation doing business in
9 this State shall insert or cause to be inserted in any newspaper circulated in this
10 State, or display or exhibit any sign, placard, transparency, or distribute or
11 cause to be distributed any hand-bill, circular or pamphlet whereby any goods or

12 merchandise shall be falsely represented or advertised as stocks damaged by
13 fire, water or otherwise, or as bankrupt or insolvent stocks, or as sheriff's con-
14 stable's, receiver's, assignee's or other judicial sales, or as offered as closing out
15 or sacrifice sales, or whereby the same are falsely represented to be of a greater
16 worth or value than the selling price at which the same are offered for sale.

17 *No person, firm or corporation shall in a newspaper or other periodical, or*
18 *in public advertisement, or by letter or circular, knowingly make or disseminate*
19 *any statement or assertion concerning the quantity, the quality, the value, the*
20 *price, the method of producing or manufacture of his merchandise or profes-*
21 *sional work or the manner or source of purchase of such merchandise, or the*
22 *motive or purpose of any sale which is untrue or calculated to mislead.*



- 1 Introduced by Committee on Civil Service, April 16, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act to regulate the civil service in counties of 150,000 or more inhabitants,
and in such counties as adopt this Act by referendum vote.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That in all counties of this State con-
3 taining 150,000 or more inhabitants, and in all counties which shall adopt the
4 provisions of this Act as hereinafter provided, all the offices and places of em-
5 ployment in the service of such counties, and all officers and employees thereof,
6 except as otherwise provided in this Act, shall be classified, and said offices and
7 places of employment shall be filled in the manner hereinafter provided for and
8 not otherwise. Whenever any county not now containing 150,000 or more in-
9 habitants shall have attained such number of inhabitants as shown by any cen-
10 sus hereafter taken by the United States, thereupon this Act shall become ap-
11 plicable to such county on the first day of July next succeeding the completion
12 of the taking of such census by the United States.

13 Whenever in any county containing less than 150,000 inhabitants one thou-
14 sand of the legal voters of such county, voting at the last preceding election,

15 shall petition the judge of the county court of such county to submit to a vote
 16 of the electors of such county the proposition as to whether such county and
 17 the electors thereof shall adopt and become entitled to the benefits of this Act,
 18 it shall be the duty of such county court to submit such proposition accordingly
 19 at the next succeeding general State or county election, and if such proposition
 20 is not adopted at such election the same shall in like manner be submitted to a
 21 vote of the electors of such county by such county court upon like application
 22 at any general state or county election thereafter and an order shall be en-
 23 tered of record in such county court submitting such proposition as aforesaid.
 24 The judge of such county court shall give at least ten days' notice of the elec-
 25 tion at which such proposition is to be submitted by publishing such notice in
 26 one or more newspapers published within such county for at least five times,
 27 the first publication to be at least ten days before the day of election, and if
 28 no newspaper is published in such county then by posting three copies of such
 29 notice in three of the most public places in the county, and such election shall
 30 be held under the election law in force in such county and if a majority of the
 31 votes cast upon such proposition shall be for such proposition this Act shall
 32 thereby be adopted by such county and shall be in effect on and after the first
 33 day of July next succeeding such election.

Sec. 2. COMMISSIONERS APPOINTED—OATH—OFFICERS—VACANCIES—REMOVALS.] In
 2 all counties of this State to which this Act is or shall become applicable, there is
 3 hereby created and established a County Civil Service Commission, hereinafter
 4 called the Commission, to consist of three persons to be selected and appointed
 5 in the following manner: Within one month after this Act shall go into effect,
 6 and at a regular meeting of the county board, the president of the county
 7 board, with the consent of a majority of its members, shall appoint three per-
 8 sons to constitute and be known as said Civil Service Commission, one to serve
 9 until the first day of July, 1917, one until the first day of July, 1919, and one until
 10 the first day of July, 1921. On or before the first days of July, 1917, 1919 and

11 1921, respectively, and thereafter as the term of any Civil Service Commissioner
12 expires, at a regular meeting of the county board, the president thereof, by and
13 with the consent of a majority of its members, shall appoint one member of
14 the commission to serve for the term of six years from and after the expira-
15 tion of the term of his predecessor. Each commissioner shall hold office until
16 his successor shall have been appointed and qualified. Not more than two mem-
17 bers of said commission shall be affiliated with the same political party.

18 The commission shall select one of its own members to act as president and
19 one as secretary of the commission. The secretary shall keep the minutes of
20 the commission, preserve all records and perform such other duties as the com-
21 mission may direct.

22 Any vacancy in the office of commissioner shall be filled in the manner and
23 subject to the qualifications hereinbefore specified. Each county civil service
24 commissioner, before entering upon the duties of his office, shall take the oath
25 prescribed by the constitution of this State. Two members of the commission
26 shall constitute a quorum. No civil service commissioner shall hold any other
27 lucrative or salaried office or employment under the United States, the State of
28 Illinois, or any municipal corporation or political division thereof. No county
29 civil service commissioner shall be removed except for palpable incompetence
30 or malfeasance in office or gross neglect of duty, and then only upon written
31 charges, with specifications, and after an opportunity to be heard in his own
32 defense. Such charges may be filed with the county judge, and shall be heard
33 and determined by a trial board consisting of: (1) the person holding the
34 office of county judge in and for the county aforesaid; (2) the person holding the
35 office of circuit judge in the judicial circuit containing or embracing said county,
36 or if there be more than one such circuit judge then the person holding the of-
37 fice of chief justice of said circuit court, or if there be no chief justice then the
38 circuit judge senior in age; and (3) a third person to be selected by the two mem-
39 bers hereinbefore designated, who shall be a person holding the office of circuit
40 judge in the circuit containing or embracing said county or in a circuit contigu-

ous thereto. The findings and decision of said trial board shall be final and shall be certified to by said board to the president of the county board, and if such charges are sustained, the civil service commissioner so charged shall be forthwith removed from office by the president of said county board, who shall thereupon proceed to fill, pursuant to law, the vacancy created by such removal. Said trial board and the members thereof shall have power to administer oaths and to compel, by subpoena, the attendance and testimony of witnesses and the production of books and papers.

Sec. 3. CLASSIFICATION.] The commission shall classify all offices and places of employment and all officers and employees which this Act provides shall be classified. Such classification shall be made with reference to the duties of such offices and places for the purpose of establishing grades and of fixing and maintaining standards of examination hereinafter provided for. The offices, places and persons so classified by the commission shall constitute the classified civil service of such county, and hereafter all appointments, removals, promotions, lay-offs, transfers, reinstatements, leaves of absence, suspensions, and changes in compensation or title, shall be made or permitted only as prescribed in this Act and the rules hereinafter mentioned and not otherwise. As a part of such classified civil service all offices and places, officers and employees of the commission, except special examiners, and investigating officers, shall be included: *Provided, however,* that all attending physicians and surgeons, who serve without compensation, in any public institution in such county, devoted to the care and treatment of the sick, poor or insane, and who are hereby made a part of the classified civil service of such county, shall be appointed for such term as the commission shall by rule prescribe, and that the physicians and surgeons usually designated as internes, who are also hereby made a part of the classified civil service of such county, shall be appointed for such term as the commission shall by rule prescribe.

Sec. 4. STANDARDIZATION.] The commission shall ascertain and record the duties of each office and place in the classified civil service, and wherever two or

3 more positions have duties which are substantially similar in respect to the
4 authority, responsibility and character of work required in the performance
5 thereof, they shall be placed in the same grade, which the commission shall des-
6 ignate by a title indicative of such duties. For each grade, the commission
7 shall ascertain a standard maximum and minimum salary or rate of pay in
8 amounts based upon the value of the work performed, and it shall
9 report the same to the county board. The commission shall by rule
10 prescribe the minimum period of service and the minimum standard of efficiency
11 required in each grade for increase of salary. The lowest salary or rate of pay
12 appropriated to any position in the grade shall constitute the grade pay and no
13 person in such grade shall receive pay in excess of the grade pay unless he is
14 certified by the commission as having served the period required by said rule,
15 with an efficiency rating recognized by the commission equivalent to the mini-
16 mum standard of efficiency required thereby. No person shall be paid an
17 amount greater than the maximum salary or rate of pay appropriated for the
18 grade in which he is classified and graded. Nothing in this Act shall prevent
19 the county board, when not otherwise provided by law, from fixing and chang-
20 ing the salaries or rate of compensation of all officers and employees of said
21 county in the manner provided by law.

Sec. 5. PERSONS IN COUNTY SERVICE WHEN ACT APPLIES.] In any county
2 which is now or which hereafter may become subject to the provisions of this
3 Act, all persons holding any office or place in the service of such
4 county at the time this Act takes effect, who hold the same by virtue
5 of a former Act entitled, "An Act to amend section sixty-one of an Act
6 entitled, 'An Act to revise the law in relation to counties,' approved March 31,
7 1874, as amended by the Act of May 20, 1879, relative to Cook County, as amend-
8 ed by Act approved June 14, 1887, in force July 1, 1887. Became a law June 26,
9 1895. In force July 1, 1895," shall continue to hold such positions under the
10 provisions of this Act and shall be deemed a part of the classified civil service

11 herein provided for. All other persons who at the time when this Act takes
 12 effect hold offices or places of employment which this Act provides shall be
 13 classified, shall continue to hold the same as temporary appointees only until
 14 such time as certification and appointment under the provisions of this Act shall
 15 have been made, and such persons shall be deemed temporary appointees as
 16 hereinafter provided for.

Sec. 6. RULES.] The commission shall make rules to carry out the pur-
 2 poses of this Act, including, among other things, rules for examinations, certifi-
 3 cations, probationary periods, removals, promotions, transfers, lay-offs, rein-
 4 statements, suspensions, leaves of absence, changes in title, and for maintain-
 5 ing and keeping records of the efficiency of officers, employees, and groups of
 6 officers and employees, in accordance with the provisions of this Act. Said com-
 7 mission may from time to time make changes in such rules.

Sec. 7. PUBLICATION OF RULES.] All rules made as herein provided and all
 2 changes therein shall forthwith be printed and shall be kept for public distrib-
 3 ution at the office of said commission.

4 All such rules and changes therein from time to time shall not become
 5 effective unless due notice thereof shall be given by publication at least once
 6 in a newspaper of general circulation published in such county, specifying in
 7 said notice the date when such rules or changes herein shall become effective,
 8 which date shall not be less than ten days subsequent to such publication,
 9 and stating where copies of such rules or changes may be subject to public in-
 10 spection.

Sec. 8. EXAMINATIONS.] All applicants for offices or places in said classi-
 2 fied civil service, shall be subject to examination, which shall be public, com-
 3 petitive and free to all persons who may be lawfully appointed thereto, with
 4 limitations specified in the rules of the commission as to residence, age, sex,
 5 health, habits, moral character and qualifications to perform the duties of the

6 office or place to be filled, which qualifications shall be prescribed in advance of
7 such examination. Such examinations shall be practical in their character, and
8 shall relate to those matters which will fairly test the relative capacity of
9 the persons examined to discharge the duties of the position to which they seek
10 to be appointed, and may include tests of physical qualifications and health, and
11 when appropriate, of manual skill. No question in any examination shall relate
12 to political or religious opinions or affiliations. The commission shall control
13 all examinations, and may, whenever an examination is to take place, designate
14 a suitable number of persons, either in or not in the official service of the coun-
15 ty, to be examiners; and it shall be the duty of such examiners, and if in the
16 official service it shall, without extra compensation, be a part of their official
17 duty, to conduct such examination as the commission may direct and to make re-
18 turn and report thereof to said commission; and the commission may at any
19 time substitute any other person, whether or not in such service, in place of
20 any one so selected; and the commission may at any time act as examiner, and
21 without appointing examiners. Said commission shall provide for and hold a
22 sufficient number of examinations to provide a sufficient number of eligibles on
23 the register for each grade in the classified civil service, and if any place in
24 the classified civil service becomes vacant, to which there is no person eligible
25 for appointment, the commission shall immediately hold an examination for
26 such position and repeat the same, if necessary, until the vacancy is filled in
27 accordance with provisions of this Act.

28 Said commission may, in its discretion, cancel such portion of any rein-
29 statement or eligible list as has been in force for more than two years but not
30 while any vacancy exists for the filling of which a requisition has been made
31 upon the commission, and which can be filled from any such list. Said com-
32 mission shall for at least two years preserve all written and printed questions
33 and the written answers thereto of any and all competitive examinations. The
34 markings and examination papers of each candidate shall be open to his own
35 inspection and the markings and examination papers of all persons upon any

36 list of eligibles shall be open to public inspection within ten days after an
 37 eligible list has been posted.

Sec. 9. NOTICE OF EXAMINATIONS.] Notice of the time and place and gen-
 2 eral scope of every examination and of the duties, pay and nature of the posi-
 3 tion sought to be filled shall be given by the commission by publication, at least
 4 once a week, for two weeks preceding such examination, in a newspaper of
 5 general circulation published in the county, and such notice shall be posted by
 6 the commission in a conspicuous place in its office for two weeks before such
 7 examination. Such further notice of examinations may be given as the com-
 8 mission shall prescribe.

Sec. 10. REGISTERS.] From the return or reports of examiners, or from
 2 the examinations made by the commission, the commission shall prepare a reg-
 3 ister for each grade in the classified service of the county of the persons who
 4 shall attain such minimum mark as may be fixed by the commission for any part
 5 of such examination and whose general average standing upon examination for
 6 such grade is not less than the minimum fixed by the rules of said commission,
 7 and who are otherwise eligible; and such persons shall take rank upon the reg-
 8 ister in the order of their relative excellence as determined by examination,
 9 without reference to priority of time of examination.

Sec. 11. PROMOTION.] The commission shall note of record the duties
 2 (whether imposed by law, official regulation or practice) of each office or place
 3 in the classified service. It shall thereupon by rule fix lines for promotion from
 4 the several grades to higher grades in all cases where, in the judgment of the
 5 commission, the duties of such several grades directly tend to fit the incumbent
 6 for a higher grade. In case of vacancy in an office or place in a higher grade
 7 which cannot be filled by reinstatement or by certification from an existing
 8 promotional list of eligibles, the commission shall hold a promotional examina-
 9 tion to fill such vacancy: *Provided, however,* that if a promotional examination
 10 for such grade shall have been held during the six months next preceding, it

11 shall be discretionary with the commission whether to hold another promotion-
12 al examination or to certify from the list resulting from an original entrance
13 examination for the grade. Incumbents of offices or places in the next lower
14 grade in the line so fixed shall be solely eligible for such promotional examina-
15 tion, unless in the judgment of the commission, to be noted in its minutes with
16 the grounds therefor, it is for the best interests of the service that an orig-
17 inal entrance examination for such vacancy be held. In promotional examina-
18 tions, efficiency and seniority in service shall form a part of such examination,
19 but combined shall not carry a total number of marks to exceed one-quarter of
20 the maximum marks attainable in such examination. All examinations for pro-
21 motion shall be competitive. The method of examination, the rules governing
22 the same, and the method of certifying shall be the same as provided for in orig-
23 inal entrance examination. If more than one applicant receive the same mark at
24 an examination, priority in time of application shall determine the order in which
25 those names shall be placed upon the eligible list.

Sec. 12. APPOINTMENTS.] Whenever a position classified under this Act is
2 to be filled, the appointing officer shall make requisition upon said commission
3 to fill said position. The commission shall certify to the appointing officer the
4 name and address of the person standing first upon the list of those entitled to
5 reinstatement in the service for the grade in which said position to be filled is
6 classified. The names upon said reinstatement list shall be arranged accord-
7 ing to relative efficiency or seniority in the service as may be provided by the
8 rules of said commission. If such person shall waive, refuse or fail to ac-
9 cept certification then the name and address of the person next upon said list
10 shall be certified, and so on throughout said list. If there is no such list, or
11 if said list shall be thus exhausted, the commission shall certify to said ap-
12 pointing officer the name and address of the person standing highest upon the
13 register of eligibles for said grade resulting from promotional examination.
14 And if there is no such list, or such promotional list shall in like manner be-
15 come exhausted, then the commission shall certify the name and address of the

16 person standing highest upon the register of eligibles for said grade resulting
17 from an original entrance examination.

18 The appointing officer shall notify the commission of each position to be
19 filled separately and shall fill such position by the appointment of the person
20 certified to him by said commission therefor; and in case said appointment is
21 made from a list of eligibles resulting from original entrance examination it
22 shall be upon probation for a period of not less than one month and not more
23 than six months, to be fixed by said rules. At any time during the period of
24 probation the appointing officer may, with the consent of said commission, dis-
25 charge the person so certified and shall forthwith notify the commission in
26 writing of such discharge. If such person is not thus discharged his appoint-
27 ment shall be deemed complete.

28 When there is no such reinstatement or eligible list or when all persons
29 on such lists shall waive or refuse to accept certification, the appointing offi-
30 cer may, with the authority of the commission, make temporary appointments,
31 pending examination, to remain in force only until regular appointments under
32 the provisions of this Act can be made; and examinations to supply an eligible
33 list therefor shall be held, and an eligible list established therefrom, within
34 sixty days from the making of such appointments; *Provided, however,* that
35 within six months after this Act takes effect and becomes applicable eligible
36 lists shall be created for all positions held by persons who become temporary
37 appointees by virtue of section five (5) of this Act.

38 All appointments shall be regarded as taking effect upon the date when the
39 person certified for appointment reports for duty. The acceptance or refusal by
40 an eligible person of a temporary appointment shall not affect his standing on
41 any reinstatement or eligible list. In employment of an essentially temporary
42 and transitory nature an appointing officer may, with the authority of the com-
43 mission, make temporary appointments; no such authority shall be granted for
44 a period of more than thirty days, but it may be renewed from time to time by
45 the commission. Emergency appointments by the sheriff, or the coroner when

46 performing the duties of sheriff, for the preservation of the peace, the protec-
47 tion of property, and enforcement of the law, shall be regarded as appointments
48 of a temporary and transitory nature within the meaning of this section.

Sec. 13. TRANSFERS.] The commission may by its rules provide for trans-
2 fers of officers and employees in the classified service from positions in one of-
3 fice or department to positions of the same grade in another office or depart-
4 ment. Transfers which are in the nature of promotion shall be governed by
5 section 11 of this Act, and transfers which are in the nature of demotions shall
6 be governed by section 15 of this Act.

Sec. 14. EXEMPTIONS.] The classified service of such county shall include
2 all the offices and places of employment except the following exempted offices:
3 All officers elected by popular vote, all officers whose appointment is provided
4 for by the constitution; all judges, masters in chancery and officers appointed
5 by the judges of any court, other than clerks and permanent employees of the
6 court not exercising judicial functions; four clerks in the probate clerk's office
7 who act as assistants to the probate judge; the jury commissioners and all
8 jurors; judges and clerks of election; all licensed attorneys acting in a profes-
9 sional capacity in the service of the county; the superintendent of public service,
10 the county architect, the auditor of, and one minute clerk for, the county board
11 and the county physician; one assistant sheriff; and one chief deputy sheriff;
12 and one confidential clerk or secretary for each elective head of a department.
13 A consulting staff of physicians and surgeons may be appointed by the county
14 board; *Provided, however,* that all powers now existing of said board of county
15 commissioners to contract with any training school of recognized standing for the
16 nursing of any or all of the sick, poor and insane of such county are hereby re-
17 served to such board of county commissioners.

Sec. 15. REMOVALS.] No officer or employee in the classified civil service
2 of the county shall be removed or discharged except for cause, upon written
3 charges filed by any citizen or taxpayer, and after an opportunity to be heard

4 in his own defense. Such charges shall be investigated by the commission, or
5 by some officer or board appointed by the commission to conduct such investi-
6 gation. The hearing shall be public. The finding and decision of the commis-
7 sion or of such investigating officer or board, when approved by said commis-
8 sion, shall be final and shall be certified to the appointing officer, and shall be
9 forthwith enforced by such officer. Nothing in this Act shall limit the powers of
10 any officer to suspend a subordinate for a reasonable period, not exceeding
11 thirty days. Every such suspension shall be without pay: *Provided, however,*
12 that the commission shall have authority to investigate every such suspension,
13 and, in case of its disapproval thereof, it shall have power to restore pay to
14 the employee so suspended. In the course of an investigation provided for in
15 this Act, the commission, or any member thereof, or any board or investigating
16 officer appointed as aforesaid, shall have the power to administer oaths and shall
17 have power to secure by subpoena both the attendance and testimony of wit-
18 nesses, and the production of books and papers: *Provided, however,* that in
19 the case of county civil service commissioners removals shall be made pursuant
20 to the provisions of section 2 of this Act.

Sec 16. REPORTS TO COMMISSION.] Immediate notice in writing shall be
2 given by the appointing power to said commission of all appointments, perma-
3 nent or temporary, and of all changes in duties of any position, made in such
4 classified civil service, and of all transfers, promotions, resignations or vacan-
5 cies from any cause in such service and of the date thereof, and a record of the
6 same shall be kept by said commission. When any office or place of employ-
7 ment is created or abolished, or the compensation attached thereto altered, the
8 officer or board making such change shall immediately report it in writing to
9 said commission. If, when created such office or place is not embraced in any
10 existing grade the commission shall grade the same and standardize the duties
11 thereof. But no place of employment shall be deemed a newly created position,
12 the duties of which come within the scope of standardization already fixed by
13 the commission.

Sec. 17. EFFICIENCY—INVESTIGATIONS.] The commission shall investigate
2 the efficiency of all officers and employees and of all groups of officers and em-
3 ployees in the classified service and shall report to each officer, board or other
4 authority in charge of any institution, office or department of the county its
5 findings and recommendations relative to increasing efficiency and economy
6 therein. In case the recommendations made by the commission are not carried
7 into effect within a reasonable time, or in case of a difference of opinion with
8 reference to such findings or recommendations between the commission and the
9 officer, board or authority in charge of an institution, office or department con-
10 cerned in any such finding or recommendation, the report accompanied by a
11 note of the relevant facts shall be transmitted by the commission to the county
12 board, and to any court, officer or person by law charged with determining the
13 number of the deputies and assistants of any officers concerned. The commis-
14 sion shall investigate the enforcement of this Act and of the rules of the com-
15 mission, the conduct of the appointees in the classified service and the methods
16 of administration therein, and may investigate the nature, tenure and compen-
17 sation of all offices and places in the civil service of the county. In the course
18 of such investigation said commission shall have power to administer oaths, and
19 to secure by its subpoena both the attendance and testimony of witnesses and
20 the production of books and papers.

Sec. 18. REPORT OF COMMISSION.] Said commission shall, on or before the
2 first day of September of each year, make to the county board a report show-
3 ing its own action, the rules in force, the practical effects thereof and any sug-
4 gestions it may approve for the more effectual accomplishment of the purposes
5 of this Act. The county board may require a report from said commission at
6 any time.

Sec. 19. OFFICERS TO AID—ROOMS.] All officers of the county shall aid the
2 commission in all proper ways in carrying out the provisions of this Act and at

3 any place where examinations are to be held shall allow reasonable use of
4 public buildings for holding such examinations. The county board shall cause
5 suitable rooms to be provided for the commission at the expense of the county.

Sec. 20. SALARY—EXPENSES.] In counties containing five hundred thou-
2 sand inhabitants or more, each of said commissioners shall receive a salary of
3 three thousand dollars (\$3,000) a year, and in such counties the president of
4 said commission shall receive a salary of four thousand dollars (\$4,000) a
5 year. In counties containing less than five hundred thousand inhabitants, each
6 of said commissioners shall receive a salary of not more than fifteen hundred
7 dollars (\$1500) a year, and in such counties, the president of said commission
8 shall receive a salary of not more than two thousand (\$2,000) dollars. Such
9 salary and a sufficient sum of money to carry out the provisions of this Act
10 shall be appropriated each year by the county board; and the county board
11 shall allow to said commission such clerical help and such sums to operate and
12 maintain said office as shall be necessary, and the compensation of such clerical
13 help and such sums allowed shall be paid by the county as other county charges.
14 If, at the time this Act shall take effect in any county, the county board shall
15 have already made the annual appropriation for county purposes for the current
16 fiscal year, the board is authorized and required to pay the salaries and ex-
17 penses of the commission for the remainder of such fiscal year out of the moneys
18 appropriated for contingent purposes. Any person not at the time in the official
19 service of the county who shall serve as a member of a board of examiners
20 or of an investigating board may receive compensation for every day actually
21 and necessarily spent in the discharge of his duty as such examiner or member
22 of an investigating board, at the rate of five dollars per day, and the commission
23 may, in such county, also incur necessary expenses for clerk hire, advertising,
24 examinations, printing, stationery and other incidental matters.

Sec. 21. FRAUDS PROHIBITED.] No person or officer shall wilfully or cor-
2 ruptly, by himself, or in co-operation with one or more persons, defeat, deceive

3 or obstruct any person in respect to his or her right of examination hereunder;
4 or corruptly or falsely mark, grade, estimate or report upon the examination or
5 proper standing of any person examined hereunder or aid in so doing; or wilful-
6 ly or corruptly make any false representation concerning the same or concern-
7 ing the person examined; or wilfully or corruptly furnish to any person any
8 special or secret information for the purpose of either improving or injuring
9 the prospects or chances of any persons so examined, or to be examined, be-
10 ing appointed, employed or promoted. And no applicant for any examination
11 shall wilfully or corruptly by himself, or in co-operation with one or more
12 persons, deceive the said commission or any examiners hereunder with refer-
13 ence to his identity, or wilfully or corruptly make any false representations in
14 his application for any examination, or commit any fraud for the purpose of
15 improving his prospects or chances in such examination.

Sec. 22. NO OFFICER TO RECEIVE OR SOLICIT POLITICAL CONTRIBUTIONS.] No of-
2 ficer or employee shall, directly or indirectly, solicit, or receive, or be in any
3 manner concerned in soliciting or receiving any assessment, subscription or con-
4 tribution from any member of the classified civil service for any party or can-
5 didate or political purpose whatever.

Sec. 23. NO PERSON TO SOLICIT POLITICAL CONTRIBUTIONS FROM OFFICERS OR EM-
2 PLOYEES.] No person shall, directly or indirectly, solicit or receive, or be in any
3 manner concerned in soliciting or receiving, any assessment, contribution or pay-
4 ment for any party or candidate or any political purpose whatever, from any
5 officer or employee in the classified civil service.

Sec. 24. ASSESSMENTS AND CONTRIBUTIONS IN PUBLIC OFFICES FORBIDDEN.] No
2 person shall, in any room or building occupied for the discharge of official
3 duties by any officer or employee in the county, orally or by written communica-
4 tion delivered therein, or in any other manner, solicit or receive any contribution
5 of money or other thing of value, for any party or candidate or superior or
6 other officer or employee or any political purpose whatever, from any member

7 of the classified civil service. No officer, agent, clerk or employee under the
 8 government of any such county, who may have charge or control of any building,
 9 office or room, occupied for any purpose of said government, shall permit any
 10 person to enter the same for the purpose of therein soliciting or delivering writ-
 11 ten solicitations for, or receiving from, or giving notice to any member of the
 12 classified civil service of the county of any political assessments.

Sec. 25. PAYMENTS OF POLITICAL CONTRIBUTIONS TO PUBLIC OFFICERS PRO-
 2 HIBITED.] No officer or employee in the classified civil service of any such
 3 county shall, directly or indirectly, give or hand over to any other officer or em-
 4 ployee in said classified civil service, or to any other public officer or employee,
 5 any money or other valuable thing, on account of or to be applied to the pro-
 6 motion of any party or political object whatever.

Sec. 26. ABUSE OF POLITICAL INFLUENCE PROHIBITED.] No person who holds
 2 any public office, or who has been nominated for, or who seeks a nomination or
 3 appointment to any public office, shall use or promise to use, either directly or
 4 indirectly, any official authority or influence in order to secure or aid any per-
 5 son in securing for himself or for another, any office or position in said classi-
 6 fied service or any promotion or increase of salary in such service as a reward
 7 for political influence or service, nor shall he by means of threats or coercion
 8 induce or seek to induce any one in the classified service to resign his position,
 9 or take a leave of absence, or any one on any eligible list to waive his right to
 10 certification or appointment. No officer or employee shall be given a leave of
 11 absence while under charges, nor shall such leave be given as an alternative to
 12 a trial on charges.

13 No person appointed, or about to be appointed to the position of civil
 14 service commissioner shall execute or sign a resignation in advance, dated or un-
 15 dated, for the purpose, or with the result of permitting the appointing power
 16 to create at his will a vacancy in the office of civil service commissioner. Nor
 17 shall the consent, approval or confirmation of the county board be required for
 18 the appointment of any officer or employee in the classified civil service.

Sec. 27. PAYMENT FOR PLACE PROHIBITED.] No applicant for appointment
2 in said classified service, shall pay or promise to pay, either directly or indi-
3 rectly, any money or other valuable thing to any person whomsoever for or on
4 account of his appointment, or proposed appointment, and no officer or em-
5 ployee in said classified service shall pay or promise to pay, either directly or
6 indirectly, any money or other valuable thing, to any person, whomsoever, for
7 or on account of his promotion or proposed promotion.

Sec. 28. RECOMMENDATION IN CONSIDERATION OF POLITICAL SERVICE PROHIBIT-
2 ED.] No applicant for appointment or promotion in said classified service shall
3 ask for or receive a recommendation or assistance from any person in considera-
4 tion of any political service to be rendered to or for such person.

Sec. 29. APPOINTMENTS AND REMOVALS TO BE CERTIFIED TO THE COMPTROLLER.]
2 The commission shall certify to the county clerk or other auditing officer all ap-
3 pointments to offices and places in the classified service and all vacancies oc-
4 ccurring therein, whether by dismissal, resignation or death.

Sec. 30. PAYMENT ONLY AFTER CERTIFICATION.] No county clerk, comp-
2 troller, treasurer, paymaster, auditing officer or other officer, or agent of said
3 county, shall approve the payment of, or be in any manner concerned in paying,
4 auditing or approving any salary, wage or other compensation to any persons
5 for services as an officer or employee in the public service covered by this Act
6 unless an estimate, payroll or account for such salary, wage or compensation,
7 containing the names of the persons to be paid, a statement of the amount to be
8 paid each such person, and the matter on account of which the same is to be
9 paid, shall be filed with him, which statement shall bear the certificate of said
10 commission that persons named in such estimate, payroll, or account have been
11 appointed or employed in pursuance of law and of the rules made in pursuance
12 of this Act, and have complied with the terms of this Act and the rules of the
13 commission when required so to do. Before said commission shall certify to any
14 estimate, payroll or account for the salary, wage or compensation of any person

15 appointed to any new office or in a place of employment in the classified service,
 16 said commission shall investigate and determine whether such office or place
 17 of employment is in fact new, and was properly created and said commission
 18 shall record its finding in that respect before making any certificate as aforesaid.
 19 The commission shall refuse to certify the pay of any public officer or employee
 20 who shall willfully or through culpable negligence violate or fail to comply with
 21 the provisions of this Act or of the rules of the commission.

Sec. 31. COMPELLING TESTIMONY OF WITNESSES—PRODUCTION OF BOOKS AND
 2 PAPERS.] Any person who shall be served with a subpoena to appear and testify
 3 or to produce books and papers, issued by said commission or by any commis-
 4 sioner or by any board or person acting in the course of an investigation con-
 5 ducted under any provision of this Act, and who shall refuse or neglect to ap-
 6 pear or testify, or to produce books and papers relevant to said investigation, as
 7 commanded in such subpoena, shall be guilty of a misdemeanor, and shall, on
 8 conviction, be punished as provided in the thirty-second and thirty-third sec-
 9 tions of this Act. The fees of witnesses for attendance and travel shall be the
 10 same as fees of witnesses before the circuit courts, and shall be paid from the ap-
 11 propriation for the expenses of the commission, and any circuit court or any
 12 judge thereof, either in term time or vacation, upon application of such com-
 13 mission or any such commissioner or any such officer or board, may compel the
 14 attendance of witnesses, the production of books and papers, and giving of testi-
 15 mony before the commission, or any such commissioner or before any such in-
 16 vestigating board or officer by attachment, or contempt, or otherwise, in the
 17 same manner as the production of evidence and the giving of testimony may
 18 be compelled before said court. Every person who, having taken an oath or
 19 made affirmation before the commission or any commissioner, or before any in-
 20 vestigating board or officer authorized to administer oaths hereunder, shall
 21 swear or affirm wilfully, corruptly and falsely, shall be guilty of perjury, and
 22 upon conviction shall be punished accordingly.

Sec. 32. PENALTIES.] Any person who shall wilfully or through culpable
2 negligence, violate any of the provisions of this Act, shall be guilty of a mis-
3 demeanor, and shall, on conviction thereof, be punished by a fine of not less
4 than \$50 and not exceeding \$1,000, or by imprisonment in the county jail for
5 a term not exceeding six months, or by both such fine and imprisonment, in the
6 discretion of the court.

Sec. 33. PENALTIES—REMOVAL FROM OFFICE.] If any person shall be con-
2 victed under the last preceding section, any public office or place of public em-
3 ployment which such person may hold shall, by force of such conviction, be ren-
4 dered vacant.

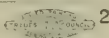
Sec. 34. WHAT OFFICERS TO PROSECUTE.] Prosecutions for violations of this
2 Act may be instituted either by the Attorney General, the State's Attorney for
3 the county in which the offense is alleged to have been committed, or by the
4 commission acting through special counsel. Such suits shall be conducted and
5 controlled by the prosecuting officers who institute them, unless they request
6 the aid of other prosecuting officers.

7 Whenever the Attorney General, the State's Attorney or other prosecuting
8 officer for the county in which an offense under this Act is alleged to have been
9 committed shall refuse to prosecute the persons alleged to have committed such
10 an offense, or shall fail to prosecute such person or persons after the lapse of 30
11 days from the date the alleged offense is brought to his attention, then any
12 taxpayer may apply to any judge of a circuit court of such county for the ap-
13 pointment of a special attorney to conduct a prosecution of such person or per-
14 sons and upon such application the court may appoint some competent attor-
15 ney to prosecute the person or persons alleged to have committed the offense
16 and the special attorney so appointed shall have the same power and author-
17 ity in relation to any prosecution for violation of this Act against such per-
18 son or persons as the Attorney General, the State's Attorney or other prose-
19 cuting officer would have in prosecuting any violation of this Act, and such

20 special attorney shall conduct and control such prosecution unless he request
21 the aid of other prosecuting officers.

Sec. 35. CIVIL SUITS.] It shall be the duty of the commission to inaugurate
2 all civil suits which may be necessary for the proper enforcement of this Act
3 and of the rules of the commission and to defend all civil suits which may be
4 brought against the commission. The commission shall be represented in such
5 suits by the chief legal officer of the county unless said commission shall ap-
6 point its own special counsel.

Sec. 36. REPEAL.] All laws or parts of laws which are inconsistent with
2 this Act or any of the provisions thereof are hereby repealed.



1 Introduced by Mr. Scanlan, April 16, 1915.

2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to enable cities to establish jointly and regulate health or hygienic institutions.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That any number of cities may, at their
3 joint charge, and for their common use, erect or provide health or hygienic in-
4 stitutes and hold real estate and personal property for the use thereof.

Sec. 2. The ordering, governing and repairing of such joint institutions,
2 the appointment of a superintendent and necessary assistants, and the power
3 of removing them for misconduct or incapacity or other sufficient cause, and the
4 power to fix the salaries of superintendent, assistants, and all employees, shall
5 be vested in a joint board of directors, who shall be chosen annually by the com-
6 mon councils of cities.

Sec. 3. Unless all the cities so uniting and interested in such joint insti-
2 tutions shall agree upon a different number, each of the parties so uniting shall
3 choose three members of the board of directors; and in case of the death of a

4 director, or of his removal from the place for which he was chosen, the vacancy
 5 may be supplied by the body which appointed him. If any city entitled to ap-
 6 point directors shall fail to make appointments, or to fill vacancies on notice
 7 of the same, those appointed from the other bodies entitled to act in the prem-
 8 ises shall have charge of such joint institution until such appointments are made
 9 or vacancies are filled.

Sec. 4. Stated quarterly meetings of the board of directors shall be held on
 2 the first Tuesday of January, April, July and October, at the joint institution
 3 under their charge, for the purpose of inspecting the management and directing
 4 the business thereof; meetings of the board may be called at other times by the
 5 directors chosen by any city uniting as one of the parties for the erection or
 6 maintenance of such joint institution, on giving notice to the other members
 7 of the board, in such manner as shall have been agreed upon at a stated
 8 meeting.

Sec. 5. The board of directors shall, at their first general meeting in each
 2 year, choose one of their member as chairman, and shall also appoint a clerk,
 3 who shall take the constitutional oath of office, and shall record all proceedings
 4 of the board, and countersign all orders drawn by the chairman.

Sec. 6. At any meeting of the board, a majority of the members shall con-
 2 stitute a quorum, and at any general quarterly meeting any by-laws, rules and
 3 regulations may be adopted by vote of at least one-half of the members elect,
 4 for the ordering and regulating the house and property under their charge, the
 5 payment of superintendent, assistants, and employees, and all other matters per-
 6 taining to the working and interests of such joint institution not inconsistent
 7 with the laws of this State or of the United States.

Sec. 7. The directors shall receive, as compensation for all services rendered
 2 by them, the sum of two dollars per day for each day actually employed in at-
 3 tending the meetings of the directors, and six cents per mile for each mile

4 necessarily traveled in going to and returning from such meetings, to be paid by
5 the city or county appointing such directors.

Sec. 8. All the expenses for salaries, wages of employees, purchase of
2 grounds, erection of buildings, supplies, medical attendance, and all other
3 charges and expenses of the joint institution (except payment for services as
4 directors), shall be paid by the several cities so uniting, in proportion to their
5 State tax at the time when the expense may have been incurred, or in such pro-
6 portion as the places interested shall agree.

Sec. 9. Any city shall have power to appropriate funds for the payment
2 of its proportion of the cost of providing and maintaining such joint institutions
3 and if any city so uniting refuses or neglects to advance or reimburse its pro-
4 portion of the expenses or moneys mentioned in the preceding section, or of any
5 other charges authorized under this Act, after the same have been adjusted and
6 apportioned by the joint board of directors, the same may be recovered of
7 such delinquent city before any court of competent jurisdiction, in an action
8 of assumpsit, to be brought in the name of such board of directors, who shall,
9 for the purpose of suing and being sued, be a body corporate, under the name
10 and style to be adopted by such board of directors, and a certificate, signed by
11 the chairman and countersigned by the clerk, of the corporate name adopted
12 shall be filed with the Secretary of State, and with the clerk of each city im-
13 mediately after the first meeting and organization of the board of directors.

Sec. 10. There shall be conducted at such institute a public health labora-
2 tory for the purpose of making laboratory diagnosis of infectious diseases and
3 making sanitary, chemical and bacteriological analysis of milk, water and foods.
4 Said institute shall cause the public milk supply and water supplied to such cities
5 to be examined and tested and shall cause to be made a sanitary inspection of
6 school houses, meat markets, groceries and other places where foods are sold
7 or held for sale to the public. Said institute shall cause to be made a medical in-

8 spection at frequent intervals of school children and shall take charge of the
9 suppression of epidemics or threatened epidemics of infectious or contagious
10 diseases within such cities.

11 The officers of said institute shall have power to enforce quarantine and
12 isolation of the sick.

Sec. 11. If any city, county so uniting refuses or neglects to provide its
2 proportion of the necessary expenses of such joint institution or of the mate-
3 rials, implements, or other means of performing the work there required, accord-
4 ing to the agreement or the directions of the joint board of directors, such city
5 shall be deprived of the privileges and benefits of such institute.

Sec. 12. Any such joint institution may be discontinued, or appropriated
2 to any other use, when the cities who have united in its creation shall so de-
3 termine, and the proceeds in such case shall be divided according to the State
4 tax of each place interested at the time of such discontinuance.

-
- 1 Introduced by Mr. Scanlan, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Insurance.
-

A BILL

For an Act providing for the organization of life insurance corporations to do business on the mutual or co-operative plan, and permitting existing corporations organized and doing the business of life insurance on the assessment plan to qualify under this Act.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That any five or more persons, citizens

3 of the United States, a majority of whom shall be bona fide citizens of this

4 State, by complying with the provisions of this Act, may, together with others

5 that may hereafter be associated with them, become a corporation for the pur-

6 pose of making insurance upon the lives of persons, and every insurance per-

7 taining thereto; for which purpose they shall make, sign, and acknowledge, be-

8 fore any officer authorized to take acknowledgments of deeds in this State, a

9 certificate of association in which shall be stated the name or title by which

10 such corporation shall be known in law, the location of its principal business

11 office (which office must be located in this State), the name and residence of the

12 incorporators, with the plan of business to be undertaken clearly and fully de-
13 fined; the mode and manner in which its corporate powers are to be exercised;
14 the number of its directors, and the names of those selected to serve until its
15 first annual meeting; the manner of electing its directors and officers (a major-
16 ity of whom shall be citizens of this State), the time of such election, the
17 manner of filling vacancies, the ages at which such corporation will accept
18 applications for insurance, at nearest birthday, and such other particulars as
19 may be necessary to explain and make manifest the objects and purposes of the
20 corporation, and also that medical examinations are required. No such corpor-
21 ation shall commence business of insurance until at least five hundred persons,
22 eligible under the proposed plan of the corporation, shall have subscribed in
23 writing, to be insured therein, in the aggregate of at least five hundred thousand
24 dollars, and have each paid in the amount in cash of one net annual premium
25 for their age at entry, proposed to be collected by such corporation, for the
26 amount of insurance subscribed for, and the same is deposited in a duly incor-
27 porated bank to the credit of said corporation, to be held in trust for the benefit
28 of its members and beneficiaries; nor until such corporation has deposited with
29 the Insurance Superintendent of this State fifty thousand dollars, in such se-
30 curities as are required by law to be deposited by life insurance corporations;
31 and until the Insurance Superintendent shall have further certified that such cor-
32 poration has complied with all the provisions of this Act and is authorized to
33 transact the business of life insurance on the mutual or co-operative plan; to
34 issue policies and collect premiums, create, accumulate, maintain and disburse
35 reserves, for the benefit of its members or their beneficiaries. The securities so
36 deposited with the Insurance Superintendent shall be held by him in trust for
37 the benefit and protection, and as security for the policy holders, or members of
38 the corporation, their legal representatives and beneficiaries.

Sec. 2. Any corporation or association which issues any policy, certificate
2 or other evidence of interest to, or makes any promise or agreement with its

3 members whereby any money or other benefit is derived from any stated, speci-
4 fied or calculated premiums collected from its members, or members of a class
5 therein, or from interest or accumulations, and wherein the money or other
6 benefits so realized are applied to, or accumulated for the use and purpose of
7 such corporation or association, as herein specified, and the expenses of its
8 management and prosecution of its business, and wherein the insured's liability
9 to contribute to the payment of policy claims, accrued or to accrue, is not lim-
10 ited to any such stated, specified or calculated premium, shall be deemed to be en-
11 gaged in the business of life insurance upon the mutual or co-operative plan, and
12 shall be subject only to the provisions of this Act, excepting that the provisions
13 of the general insurance law shall be applicable so far as the same are now in-
14 consistent with the provisions of this Act.

Sec. 3. Any existing corporation transacting the business of life insurance
2 on the assessment plan, under "An Act to incorporate companies to do the busi-
3 ness of life or accident insurance on the assessment plan, and to control such
4 companies of this State, and of other states, doing business in this State, and to
5 repeal a certain Act therein named and providing and fixing the punishment for
6 violations of the provisions thereof," (approved June 22, 1893, in force July
7 1, 1893), may accept the provisions of this Act and amend its charter to con-
8 form with the same, so as to cover and enjoy any and all the provisions or
9 privileges of existing laws, which might be included and enjoyed if it was orig-
10 inally incorporated hereunder, by filing with the Insurance Superintendent a
11 declaration of its desire so to do, signed and acknowledged by a majority of its
12 board of directors, trustees or managers, as the case may be, with a duly verified
13 copy of the resolution adopted by such board authorizing such acceptance.
14 Whereupon the Insurance Superintendent if he finds that such declaration and
15 resolution conform to the provisions of this Act, shall file the same, together with
16 his certificate of approval, and enter the same of record in his office, and he shall
17 thereupon issue to such corporation a certificate under the seal of his office and
18 attach thereto copies of all papers filed by such corporation in pursuance here-

19 of, and the same shall be recorded in the recorder's office in the county where the
20 original certificate of association was recorded. Upon such recording, any such
21 corporation shall be deemed to have qualified under the provisions of this Act,
22 and such corporation is hereby declared to be a continuation of such corporation
23 which existed prior to such acceptance of the provisions of this Act; and the
24 offices thereof shall be continued by the respective incumbents for the periods for
25 which they were elected and thereafter shall be filled in such manner as shall
26 be provided in such declaration. The qualifying of any existing corporation
27 under the provisions of this Act shall in no way annul, modify or change any
28 existing obligation, contract, or liability of such existing corporation and any and
29 all such obligations, contracts, and liabilities shall continue in full force and ef-
30 fect the same as though such corporation had not qualified under this Act.
31 Neither shall the qualifying of any such corporation under the provisions of this
32 Act in any way prejudice, impede, or impair any previous action or proceeding
33 or any rights previously accrued.

Sec. 4. Mutual life insurance corporations or associations organized or
2 licensed under the provisions of this Act, shall, for the benefit of its policy holders
3 or members make provision for a reserve fund, which shall be created, accu-
4 mulated and maintained, to the value of fifty per cent of the reserve values as
5 determined by the American Experience Table of Mortality with interest at
6 four per cent, at such times and in such manner as is hereinafter provided. Such
7 reserves shall be maintained from the premiums and accumulations from inter-
8 est of such reserves in the kind of securities required by law according to the
9 provisions of "An Act to regulate the investment of funds and the real estate
10 holdings of life insurance companies," approved May 20th, 1907, in force July
11 1, 1907. The reserves as herein contemplated shall be created and accumulated
12 in such manner that not less than ten per cent thereof shall be maintained
13 during the fourth policy year; twenty per cent during the fifth policy year;
14 thirty per cent during the sixth policy year; forty per cent during the seventh
15 policy year; fifty per cent during the eighth policy year; sixty per cent during

16 the ninth policy year; seventy per cent during the tenth policy year; eighty per
17 cent during the eleventh policy year; ninety per cent during the twelfth policy
18 year, and one hundred per cent during the thirteenth and succeeding policy
19 years, so that the full reserves herein contemplated shall be to the credit of
20 each policy for the use and purposes of such corporation and as herein pro-
21 vided. For this purpose individual bookkeeping accounts for each member shall
22 not be required and all calculations may be made by actuarial methods.

23 Should the total amount of the cash and invested funds of such corporation
24 on the 31st day of December of any year be less than the total values of re-
25 serves as herein provided for, a deficiency shall be deemed to exist, and it
26 shall be the duty of the directors, trustees or managers, as the case may be, to
27 collect upon each policy, at least an amount sufficient to meet such deficiencies
28 in the proportion that the net annual premium on such policy shall be, to the ag-
29 gregate net annual premiums on all outstanding policies of such corporation of
30 which at least thirty days' notice shall be given in such manner as shall be
31 provided for by the directors, trustees or managers of such corporation.

32 It shall be the duty of each policy holder to promptly remit and pay the
33 amount required in such notice and their failure so to do, within the time speci-
34 fied in such notice, shall subject their policies to such modifications as may be
35 provided for by the policy. In case the directors, trustees, or managers, as the
36 case may be, of any corporation fail to proceed to collect such deficiency as here-
37 in required, the Insurance Superintendent may, in the absence of good cause, in-
38 stitute proceedings for the dissolution of such corporation according to the pro-
39 visions of "An Act in regard to dissolution of insurance companies," approved
40 February 17, 1874, in force July 1, 1874: *Provided, however,* that if two-thirds
41 or more of the policy holders of such corporation shall pay their equitable
42 shares of such amount as may be required to meet such deficiency, then such cor-
43 poration shall be continued as to such policy holders who have paid their sev-
44 eral amounts and as to such policy holders who refuse or neglect to pay their

45 several amounts, extended insurance shall be granted in such manner and upon
46 such basis as is provided for in section 7 of this Act.

Sec. 5. Every such corporation shall, in addition to the annual statement
2 now required, on or before the first day of March in each year, report to the
3 Insurance Superintendent the amount of reserves maintained on its policies in
4 force more than four years prior to December 31st last preceding, but nothing
5 herein contained shall require any corporation to maintain reserves on policies
6 issued before this Act takes effect or before the expiration of the third year of
7 any policy.

Sec. 6. Every such corporation doing business under the provisions of this
2 Act shall make provision in its policies for at least thirty-one days of grace in
3 the payment of any premium, after the first year: *Provided*, that if the insured
4 shall die within the term of grace, such unpaid premium may be deducted in
5 the settlement of any such policy; the policy and the application therefor, a
6 copy of which shall be attached to such policy and made part thereof, shall con-
7 stitute the entire contract between the parties and shall be incontestable after
8 two years from this date, except for non-payment of premiums or for violation
9 of conditions relative to naval or military service, in time of war; if the age of
10 the insured be misstated, the amount payable under such policy shall be such
11 as the premium would have purchased at the correct age according to premium
12 rates in force at the date of issue: *Provided*, the correct age is within the
13 limit of ages at which such corporation issues policies. No policy issued by
14 such corporation shall contain a provision limiting the time within which an
15 action at law or equity may be commenced to less than three years after the
16 cause of action shall accrue; nor a provision by which such policy shall purport
17 to be issued or take effect, more than six months before the original application
18 for insurance was made.

Sec. 7. Any such corporation doing business under the provisions of this
2 Act shall, if default shall be made by any policy holder in the payment of any

3 premium after having paid premiums for four full years, grant the privilege
4 of extended insurance for the full amount of any such policy, less any indebted-
5 ness on account of any unpaid premium, with interest at the rate of six per
6 cent per annum for such length of time as fifty per cent of the reserves on such
7 policy, less any indebtedness will purchase at the rates then in force by such
8 corporation for whole life insurance at the attained age of the policy holder.

9 *Provided, however,* that should the attained age of any such policy holder
10 be above the age limit at which such corporation accepts applications for insur-
11 ance, then, and in that event, the rate at the highest age at which such corpora-
12 tion issues policies shall govern; and such policy holder shall have the right at
13 any time before the time for extended insurance has expired, to reinstate the
14 policy by the payment of all arrearages of premiums upon the production of
15 evidence of insurability satisfactory to the corporation, and if such policy holder
16 who has been granted extended insurance shall fail so to reinstate his policy,
17 it shall at the expiration of the period for extended insurance cease and deter-
18 mine.

19 It shall be the duty of the directors, trustees, or managers upon the de-
20 fault of any premium payment on any policy to notify such policy holder there-
21 of, and also that extended insurance is granted specifying the time at which
22 said extended insurance shall expire. Notice given by mail to the last known
23 post office address of such policy holder shall be deemed sufficient notice, and an
24 affidavit made by the person having charge of the mailing of notices to policy
25 holders that such notice was mailed, stating the date of mailing, shall be prima
26 facie evidence thereof.

Sec. 8. No corporation organized under the laws of any other State or
2 territory of the United States or of the District of Columbia or foreign country,
3 shall transact business in this State under the provisions of this Act until it has
4 received from the Insurance Superintendent a certificate of authority, a dupli-
5 cate of which shall be filed in his office; nor until it has complied with the laws of

6 this State. The Insurance Superintendent shall refuse a certificate of authority,
7 or renewal of the same, to any such foreign corporation when in his judgment such
8 refusal would best promote the public interest.

9 Whenever it shall appear to the Insurance Superintendent that permission
10 to transact business or to make insurance, as is herein provided, within any
11 other state or territory of the United States or foreign county, is refused to
12 any corporation of this State, organized or doing business under the provisions of
13 this Act, after a certificate of solvency and good management of such corpora-
14 tion has been issued to it by the Insurance Superintendent, and after such cor-
15 poration has complied with any reasonable laws of such other state or terri-
16 tory, then the Insurance Superintendent shall refuse a certificate of authority
17 or a renewal of the same to any foreign corporation domiciled in such state or
18 territory so refusing, or if a certificate of authority has been granted, shall
19 forthwith cancel the same, and may refuse a certificate of authority to every
20 such corporation from such state thereafter applying to him for authority to do
21 business or make insurance in this State, until such certificate of solvency and
22 good management of the Insurance Superintendent shall have been recognized
23 by such other state or territory, and authority is given to any such corporation
24 organized or doing business in this State, under the provisions of this Act, to do
25 a like business in such other states or territory. When any state or territory
26 shall impose any obligation upon such corporation of this State or its agents
27 transacting business in such other state, or territory, the like obligations are
28 hereby imposed upon similar corporations of such other state or territory, and
29 their agents or representatives transacting business in this State, and such cor-
30 porations or associations of such other state or territory, and its agents or
31 representatives shall pay all licenses, fees or penalties to, and make deposits
32 with the Insurance Superintendent, imposed by the laws of such other state or
33 territory, upon any corporation of this State doing business therein; and in
34 case of failure to pay the same, the Insurance Superintendent shall refuse the
35 certificate of authority herein provided for, or cancel such certificate if one

36 shall have been previously issued. No foreign corporation shall be authorized
37 to transact any business authorized by this Act within this State unless it fur-
38 nishes evidence satisfactory to the Insurance Superintendent that it has a re-
39 serve fund equal in amount to that required by this Act, and that the same is
40 held for the benefit of policy or certificate holders only, and invested as required
41 by the insurance law of this State.

Sec. 9. No life insurance corporation subject to the provisions of this Act
2 shall make any discrimination in favor of individuals of the same class or of the
3 same expectation of life, either in the amount of premiums charged or in any
4 return of premium, dividend or other advantages. No agent of such corpora-
5 tion shall make any contract for insurance or agreement as to such contract other
6 than that which is plainly expressed in the policy issued. No such corporation
7 or agent thereof shall pay, or allow, or offer to pay or allow, as an inducement
8 to any person to insure, any rebate of premium, or any special favor or advan-
9 tage whatever in the dividends to accrue thereon, or any inducement whatever
10 not specified in the policy. If it shall appear to the satisfaction of the Insur-
11 ance Superintendent after a hearing by him, upon due notice, that any corpora-
12 tion is issuing policies or making contracts that are in violation of this section,
13 he shall require such corporation and its officers and agents to refrain, within
14 twenty days, from making any such policy or contract. If any such corporation
15 or officer or agent thereof shall fail to comply with the provisions of this sec-
16 tion, the Insurance Superintendent shall institute such proceedings at law as
17 may be necessary to restrain such violation of this section.

Sec. 10. Membership in any such corporation shall give to any member
2 thereof the right at any time, with the consent of such corporation, to make a
3 change in his payee or payees or beneficiary or beneficiaries, without requiring
4 the consent of such payees or beneficiaries.

Sec. 11. Any such corporation may from time to time adopt and promulgate
2 laws, rules and regulations for the government of itself and members, not in-
3 consistent with the provisions of this Act, and from time to time amend the
4 same.

Sec. 12. The provisions of this Act shall not affect or be construed to apply
2 to fraternal, beneficial societies or associations.



1 Adopted May 14, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 718, section 2, page 3, line 13, of the printed bill,
2 by striking out the word "now" and insert in lieu thereof the word "not."

AMENDMENT NO. 2.

Amend House Bill No. 718, section 5, page 6, line 6, of the printed bill, by
2 striking out the words "issued before this Act takes effect or."

AMENDMENT NO. 3.

Amend House Bill No. 718, section 6, page 6, line 8 of the printed bill, by
2 striking out the word "this" and insert in lieu thereof the word "its."

AMENDMENT NO. 4.

Amend House Bill No. 718, section 8, page 8, line 6 of the printed bill, by
2 inserting after the word "state" the following:

3 "When any other State or country shall impose any obligation upon any
4 such corporation of this State, the like obligation shall be imposed on similar
5 corporations and their agents of such State or country doing business of life
6 insurance in this State on the mutual co-operative or assessment plan. If the

7 laws of such State where such corporation is organized will not admit corpora-
 8 tions organized in this State or doing business under this Act to do business in
 9 such State, then such corporation shall not be admitted to do business in this
 10 State. The Insurance Superintendent is authorized to place such construction
 11 upon the minor provisions of the insurance laws of other States as will, in his
 12 judgment, harmonize with this law, when justice and equity will so warrant.

AMENDMENT NO. 5.

Amend House Bill 718, section 8, page 8, of the printed bill, by striking out
 2 all of lines 9 to 35 inclusive, also that portion of line 36, page 9, section 8 of
 3 the printed bill, which reads as follows: "Shall have been previously issued."

AMENDMENT NO. 6.

Amend House Bill No. 718, by adding a section to be known as section 13,
 2 to read as follows: "All Acts or parts of Acts in conflict with this Act are
 3 hereby repealed."

AMENDMENT NO. 7.

Amend House Bill No. 718, by striking out the comma, after the word only,
 2 in line forty on page nine of the printed bill, inserting in lieu thereof, a period,
 3 and by striking out in line forty on page nine the words "and invested as re-
 4 quired," and also by striking out all of line 41 of the printed bill on page nine.

AMENDMENT NO. 8.

Amend House Bill No. 718, by striking out in section 10, line 2, of the print-
 2 ed bill, "with the consent of such corporation," and insert after the word
 3 "beneficiaries" in line 3 of section 10, the words "as provided by the consti-
 4 tution and by-laws."



1 Adopted May 21, 1915.

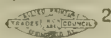
Mr. Seanlan thereupon offered the following as a substitute for amendment

2 No. 4, and moved its adoption:

Amend House Bill No. 718, section 8, page 8, line 6 of the printed bill, by

2 inserting after the word "State" the following:

3 "When any other State or country shall impose any obligation upon any
4 such corporation of this State, the like obligation shall be imposed on similar
5 corporations and their agents of such State or country doing business of life in-
6 surance in this State on the mutual co-operative or assessment plan. If the laws
7 of such State where such corporation is organized will not admit corporations
8 organized in this State doing business under this Act, to do business in such
8 State, then such corporation shall not be admitted to do business in this State.
9 The Insurance Superintendent is authorized to place such construction upon the
10 minor provisions of the insurance laws of other States as will, in his judgment,
11 harmonize with this law, when justice and equity will so warrant.



1 Introduced by Mr. Lantz, April 16, 1915.

2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act entitled an Act to amend section 50 of an Act entitled, "An Act to revise the law in relation to roads and bridges," (approved June 27, 1913, in force July 1, 1913).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That section 50 of an Act entitled, "An Act to revise the law in relation to roads and bridges," be amended to read as follows:

5 Sec. 50. MEETINGS, POWERS AND DUTIES OF HIGHWAY COMMISSIONERS. (A)
6 MEETINGS.] The commissioners of highways of each town or road district shall
7 meet on the second Tuesday next after the annual town meeting or road district
8 election, in each year, at the office of the town or district clerk, and shall organ-
9 ize as a board by electing one of their number president. Said board shall also
10 hold other regular meetings at such times as they shall designate, and special
11 meetings as occasion may require at the call of the president, or any two of the
12 commissioners, and no official business shall be transacted by the board except at

13 a regular or special meeting. The concurrence of at least two commissioners
14 shall be required in all official actions taken by the board as a body, and all certi-
15 ficates or documents hereinafter required to be made or executed by the board of
16 highway commissioners shall be signed by at least two members of said board.

17 (B) GENERAL POWERS AND DUTIES.] The highway commissioners of each
18 town or road district shall have power and it shall be their duty:

19 (1) To lay out, alter, widen or vacate roads as hereinafter provided.

20 (2) To cause such roads used as highways as have been laid out or dedi-
21 cated to public use, but not sufficiently described, and such as have been used
22 for twenty years, but not recorded, to be ascertained, described and entered of
23 record in the office of the district or town clerk.

24 (3) To determine the taxes necessary to be levied on property within his
25 town or district for road and bridge purposes, subject to the limitations herein-
26 after provided.

27 (4) To direct the expenditure of all moneys collected in the town or dis-
28 trict for road and bridge purposes and to draw warrants on the town or district
29 treasurer therefor.

30 (5) To direct the construction and repair of roads and bridges within the
31 town or district, to let contracts, employ labor and purchase material and ma-
32 chinery therefor, subject to the limitations herein provided: *Provided, however,*
33 that no contract shall be let for the construction or repair of any road or bridge
34 or part thereof in excess of the amount of \$200, nor shall any machinery or
35 other appliances to be used in road construction in excess of such amount be pur-
36 chased without the approval of the county superintendent of highways.

37 (6) To have general charge of the roads and bridges of their town or dis-
38 trict, to keep the same in repair and to improve them so far as practicable.

39 (7) To take possession of and keep under shelter, when not in use, all
40 scrapers, plows and other tools belonging to the town or district wherever the
41 same may be found, and not allow the same to go to waste, and not lend the
42 same, except to persons employed to work the roads by contract or otherwise.

43 (8) To cause to be erected and kept in repair at the forks or crossing place
44 of the most important public roads, post and guide boards, with plain inscrip-
45 tion thereon, in letters and figures, giving directions and distances to the most
46 noted places to which such road may lead; to prevent thistles, burdock, cockle-
47 burs, mustard, yellow dock, Indian mallow and gypsum weed from seeding, and
48 to extirpate the same so far as practicable; and to prevent all rank growth of
49 vegetation in the public highway by causing the same to be cut and destroyed
50 prior to the seeding of the same, and at the farthest prior to September 1st, in
51 each and every year; and the said commissioners may, at their discretion, adopt
52 any suitable and convenient mode of supplying water in troughs conveniently
53 situated on the public highway for public use.

54 (9) To issue their warrant or order on the treasurer of the board of high-
55 way commissioners for the payment of all moneys paid out by such treasurer.

56 (C) REPORT.] The highway commissioners shall annually make report in
57 writing showing:

58 (1) The amount of poll tax assessed, how much paid, and how much de-
59 linquent.

60 (2) The amount of road and bridge money received by him, and a full and
61 detailed statement as to how and where expended, and the balance, if any, un-
62 expended.

63 (3) The amount paid for damages in laying out, altering, widening or vacat-
64 ing roads, and right of way for ditches.

65 (4) The amount of liabilities incurred and not paid; and if such liabilities
66 are undetermined, they shall be estimated.

67 (5) Any additional matter concerning the roads and bridges of the dis-
68 trict he may think expedient and proper to make.

69 In counties under township organization such report shall be made to the
70 board of town auditors at the semi-annual meeting immediately preceding the
71 annual town meeting. In counties not under township organization such report
72 shall be made not later than the last Tuesday in March to the district clerk who
73 shall file the same in his office and he shall record such report at large in the
74 records of said road district.



- 1 Introduced by Mr. Burres, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Appropriations.

A BILL

For an Act appropriating to the trustees of the University of Illinois the money granted in an Act of Congress, approved August 30, 1890, entitled, "An Act to apply a portion of the proceeds of the public lands to the more perfect endowment and support of the colleges for the benefit of agriculture and mechanic arts," established under the provisions of an Act of Congress, approved July 2, 1862, and the money granted by an Act of Congress, approved March 4, 1907, entitled, "An Act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1908."

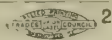
SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That the sum or sums of money which
3 may have accrued or may hereafter before the first day of July, 1917, accrue to
4 the State of Illinois, under the provisions of an Act of Congress of the United
5 States, approved August 30, 1890, entitled, "An Act to apply a portion of the
6 proceeds of the public lands to the more perfect endowment and support of the
7 colleges for the benefit of agriculture and the mechanic arts," established under
8 an Act of Congress, approved July 2, 1862; and the money granted by an Act of

9 Congress approved March 4, 1907, entitled, "An Act making appropriations for
10 the Department of Agriculture for the fiscal year ending June 30, 1908," are
11 hereby appropriated to the trustees of the University of Illinois, and whenever
12 any portion of the said money shall be received by the State Treasurer it shall
13 immediately be due and payable into the treasury of said board of trustees.

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed
2 to draw his warrant on the State Treasurer for the sums hereby appropriated,
3 upon the order of the chairman of the board of trustees of said university,
4 countersigned by its secretary and with the corporate seal of said university.

(This was section 66 in the Omnibus Bill.)

5 To the University of Illinois, for the payment of interest on the endow-
6 ment funds of said university as provided by section 2 of the Act relating to said
7 university, approved June 11, 1897, for the years 1915 and 1916, the sum of
8 \$65,000, or so much thereof as may be necessary under the terms of said Act.



1 Introduced by Mr. McCabe, April 16, 1915.

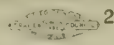
2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend an Act entitled, "An Act to authorize the organization of high school districts," approved June 5, 1911, in force July 1, 1911, by adding thereto a new section to be numbered section 7A.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to authorize the organization of high school districts," approved June 5, 1911, in force July 1, 1911, be, and the same is, hereby amended by adding thereto a new section to be numbered section 7A, which shall read as follows:

6 Sec. 7A. If any high school district shall, for two consecutive years, fail
7 to maintain a public high school as provided and required by this Act, it shall be
8 the duty of the county superintendent of schools of the county in which the
9 township or greater part of the territory is situated, to discontinue the high
10 school district by directing the high school board of education to discharge all
11 outstanding obligations and to distribute the remainder of the assets of the high
12 school district to the underlying districts and parts of districts in proportion
13 to the assessed valuation of all the property of such districts and parts of dis-
14 tricts.



- 1 Introduced by Mr. Thomas Curran, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Corrections.

A BILL

For an Act to amend sections 4, 8 and 9 of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, adoption and guardianship of the person of such children," approved April 21st, 1899, in force July 1st, 1899, as amended by an Act approved June 4th, 1907, in force July 1, 1907, to repeal section 18 of said Act and by adding a new section to be known as section 6a.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That sections 4, 8 and 9 of an Act entitled, "An Act relating to children who are now or may hereafter become dependent, neglected or delinquent, to define these terms and to provide for the treatment, control, maintenance, adoption and guardianship of the person of such children," approved April 21st, 1899, in force July 1st, 1899, as amended by an Act approved June 4th, 1907, in force July 1st, 1907, be and the same are hereby amended, by repealing section 18 and by adding thereto a new section to be known as section 6a.

Sec. 4. PETITION TO THE COURT.] The Attorney General, the State's Attorney, the State Visitation Agent, or any commissioned probation officer being a resident of the county, may file with the clerk of the court having jurisdiction of the matter, a petition in writing, setting forth that a certain child, naming it, within the county, not now or hereafter an inmate of a State institution incorporated under the laws of this State, except as provided in section 12 hereof, is either dependent, neglected or delinquent as defined in section 1 hereof; that it is for the interest of the child in this State that the child be taken from its parent, parents, custodian or guardian and placed under the guardianship of some suitable person, to be appointed by the court; and that the parent, parents, custodian or guardian of such child, are unfit or improper guardians, or are unable or unwilling to care for, protect, train, educate, control or discipline such child, or that the parent, parents, guardian or custodian consent that such child be taken from them.

The petition shall also set forth, either the name, or that the name is unknown to petitioner (a) or the person having the custody of such child; and (b) of each of the parents, or the legitimate child, or the mother of an illegitimate child; or (c) if it is alleged that both such parents are, or if such mother is dead, then of the guardian, if any, of such child; (d) if it alleged that both such parents are or that such mother is dead, and that no guardian of such child is known to the petitioner, then, of a near relative, or that none such is known to the petitioner. The petition shall also state the residence of such parties so far as the same are known to such petitioner. All persons as named in such petition shall be made defendants by name and shall be notified of such proceedings by summons, if residents of this State, in the same manner as is now or may hereafter be required in chancery proceedings by the laws of this State, except only herein otherwise provided.

All persons, if any, who or whose names are stated in the petition to be unknown to the petitioner, shall be deemed and taken as defendants by the name or designation of "all whom it may concern." The petition shall be verified by

31 affidavit, which affidavit shall be sufficient upon information and belief. Pro-
32 cess shall be issued against all persons made parties by the designation of "all
33 whom it may concern," by such description, and notice given by publication as
34 is required by this Act shall be sufficient to authorize the court to hear and de-
35 termine the suit as though the parties had been sued by their proper names.

Sec. 6. (a). BONDS FOR PROBATION OFFICERS.] Every probation officer shall,
2 before being commissioned, file a bond for the faithful performance of his or her
3 duties in the penal sum of five thousand (\$5,000.00) dollars; said bond to be
4 approved by the judge of the court. Probation officers now commissioned must
5 file bonds in compliance with this section on or before September 1st, 1915.

Sec. 8. GUARDIANSHIP.] In every case where such child is committed to an
2 institution or association, the court shall appoint the president, secretary or
3 superintendent of such institutional association, guardian over the person of such
4 child; shall order such guardian to place such child in such institution or with
5 such association, whereof he is such officer; to hold such child, care for it, train
6 and educate it, subject to the rules and laws that may be enforced from time to
7 time governing such institution or association and subject to the regulation of
8 the State Board of Administration.

Sec. 9. PLACEMENT OUTSIDE STATE.] If the court shall find any male child
2 under the age of 17 years or any female child under the age of 18 years to be
3 delinquent within the meaning of this Act, the court may allow such child to
4 remain at its own home subject to the friendly visitation of a probation officer,
5 such child to report to the probation officer as often as may be required, and if
6 the parent, parents, guardian or custodian consent thereto, or if the court shall
7 further find either that the parent, parents, guardian or custodian are unfit or
8 improper guardians, or are unable or unwilling to care for, protect, train, edu-
9 cate or discipline such child and shall further find that it is for the interest of
10 such child and the people of this State that such child be taken from the custody

11 of its parent, parents, custodian or guardian, the court may appoint some pro-
 12 bation officer, guardian over the person of such child and permit it to remain
 13 at its home, or order such guardian to cause such child to be placed in a suitable
 14 family home, or cause it to be boarded out in some suitable family home, in
 15 case provision is made by voluntary contribution or otherwise for the payment
 16 of the board; or the court may commit such child to some training school for
 17 boys—if a male child, or to an industrial school for girls—if a female child, or to
 18 any institution incorporated under the laws of this State to care for delinquent
 19 children, or to any institution that has been or may be provided by the State,
 20 county, town or village suitable for the care of delinquent children, including St.
 21 Charles School for Boys and the State Training School for Girls, or to some
 22 association that will receive it, embracing in its object the care of neglected, de-
 23 pendent or delinquent children, in which has been duly credited as hereinafter
 24 provided. In every case where such child is committed to an institution or as-
 25 sociation, the court shall appoint the president, secretary or superintendent of
 26 such institution or association, guardian over the person of such child and shall
 27 order such guardian to place such child in such institution or with such asso-
 28 ciation, whereof he is such officer and hold such child, care for and train and
 29 educate it subject to the rules of the laws that may be enforced from time to
 30 time governing such institution or association; and no child shall be taken out-
 31 side of the confines of the State of Illinois. The guardian of each child so ap-
 32 pointed shall, upon the order of the court or a written demand of any parent
 33 or the next of kin of said child, disclose immediately to the court the where-
 34 abouts of said child. Whoever shall violate the requirements of this section
 35 shall be imprisoned in the county jail not more than one year, or fined not less
 36 than one hundred (\$100.00) dollars nor more than five hundred (\$500.00) dol-
 37 lars, or both, in the discretion of the court.

Sec. 2. And be it further enacted that section 18 of the said Act be and
 2 the same is hereby repealed.

- 1 Introduced by Mr. Thomas Curran, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act for the licensing, control and regulation of charitable corporations.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* MUST PROCURE LICENSE, ETC.] That the
3 Secretary of State shall, before making and issuing the certificate for the in-
4 corporation of a charitable corporation and corporations purporting to have
5 charity departments, forward such statement to the State Board of Administra-
6 tion, which shall immediately make an investigation as to the persons who have
7 asked to be incorporated and as to the purposes of the incorporation, and any
8 other material facts relative thereto, and shall give them a public hearing, notice
9 of which shall be published once in some secular newspaper of general circula-
10 tion in the county in which the proposed corporation is to have its principle
11 office at least three days before the date set for hearing, and shall forthwith re-
12 port to the Secretary of State its conclusions of fact, and its recommendations.
13 If it appear from such conclusions and recommendations that the probable pur-
14 pose of the formation of the proposed corporation is for any illegal Act, or

15 that the persons asking for incorporation are not suitable persons or from any
 16 other cause the certificate shall be refused.

Sec. 2. CORPORATIONS NOW IN EXISTENCE MUST PROCURE LICENSE.] On or be-
 2 fore October 1, 1915, every charitable corporation and corporations purport-
 3 ing to have charity departments, now in existence in this State shall apply
 4 to the State Board of Administration for a license. Such application shall con-
 5 tain such information and be on such forms as the State Board of Administra-
 6 tion may require. Before granting such license, the State Board of Administra-
 7 tion shall make an investigation as to the previous conduct of the charitable
 8 corporation, its costs of soliciting its funds, which in no instance shall exceed
 9 30% of the total amount received by solicitation during the period of one year
 10 previous thereto, its methods of bookkeeping and its general plan of business.
 11 If the conclusion reached be unfavorable, no license shall be granted.

Sec. 3. ANNUAL REPORT—REVOCATION OF LICENSE.] Between September 1,
 2 and 30, 1915 and between the same date in every year thereafter, it shall be
 3 the duty of every charitable corporation in Illinois to make an annual report to
 4 the State Board of Administration upon blanks to be furnished for that purpose.
 5 If at any time it appears from such annual report, or otherwise, that any chari-
 6 table corporation is being conducted for profit, or that it is doing any illegal
 7 Act, or its affairs are being conducted improperly, or proper books are not
 8 kept, or that the funds are not disbursed for charitable purposes, or from any
 9 other cause, the license of such charitable corporation shall be revoked.

Sec. 4. PENALTIES.] Whoever, after October 1, 1915, being an officer, agent,
 2 or employee of an unlicensed charitable corporation of this State, solicits or at-
 3 tempts to solicit funds, money or clothing for or on behalf of such corporation,
 4 or exercises any of the functions, duties or privileges of an officer, agent or
 5 employee of such corporation, shall be fined not less than \$50, nor more than
 6 \$200, for each offense.



- 1 Introduced by Mr. Thomas Curran, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act for the licensing, inspection and regulation of maternity hospitals, lying
in homes, or other places, public or private, for the confinement of women, and
to provide a penalty for violation thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: MUST PROCURE LICENSE—REVOCATION.] All*
3 *persons, societies, associations, organizations or corporations, conducting,*
4 *maintaining or carrying on any maternity or lying in hospital or other place,*
5 *public or private, where females may be received, cared for or treated during*
6 *pregnancy or during or after delivery must apply for and obtain license there-*
7 *for from the State Board of Administration. Applications shall be made upon*
8 *the blanks prescribed by said board, and shall be endorsed by six or more per-*
9 *sons of good moral character who are regular taxpayers of the county where*
10 *such maternity or lying in hospital is located and who shall certify to the respect-*
11 *ability of the applicant. If, in the opinion of said board such hospital is to be*
12 *carried on for legitimate purposes and the persons connected therewith are*

13 proper and suitable persons to conduct such hospital, then a license shall be
14 issued.

15 If at any time after such license is issued any manager, superintendent
16 or person in charge of such hospital shall have violated any of the provisions of
17 this Act or that such hospital shall fail or refuse to comply with the orders of
18 the State Board of Administration made pursuant to this Act, such license shall
19 be immediately revoked.

Sec. 2. INFORMATION TO BE KEPT.] Every license shall keep a register of all
2 persons admitted, the date of birth of every child born on said premises, date
3 of discharge of mother and of child, and if child is placed in a foster home, the
4 name of such foster parent or parents, the address thereof, when placed, and if
5 the child has been legally adopted, and such other information as the State
6 Board of Administration may from time to time require. A copy of all such
7 information shall be made to said board on the first of each month.

Sec. 3. INVESTIGATION OF HOMES.] No child from such maternity or lying in
2 hospital shall be placed in a family, home or be legally adopted until such home
3 shall have been investigated and approved by the State Board of Administra-
4 tion.

Sec. 4. ACCESS TO BOOKS AND INSTITUTIONS.] The Board of Administration,
2 through its agents, shall at all times have free access to any hospital licensed
3 under this Act and to all its records.

Sec. 5. PENALTY.] Any manager, superintendent, or person in charge of
2 such maternity or lying in hospital who fails or refuses to procure a license as
3 provided in section 1 hereof, or any one who violates any of the provisions of this
4 Act shall be deemed guilty of a misdemeanor and fined not less than \$50 nor
5 more than \$500, or by imprisonment in the county jail for not to exceed one
6 year, or both fine and imprisonment, in the discretion of the court.

AMENDMENT TO

49th G. A.

HOUSE BILL No. 724

1915



2

1 Adopted May 13, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 724, by striking out the word "license" in line 1 of
2 section 2 of the printed bill and insert in lieu thereof the word "licensee".



- 1 Introduced by Mr. Thomas Curran, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act to repeal an Act entitled, “An Act to regulate the surrender, placing
and transfer of children,” approved May 13, 1905, in force July 1, 1905.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: REPEAL.] That an Act entitled, “An Act
to regulate the surrender, placing and transfer of children,” approved May 13,
1905, in force July 1, 1905, be and is hereby repealed.



- 1 Introduced by Mr. Thomas Curran, April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Charities and Cor-
rections.

A BILL

For an Act to amend sections 1 and 8 of an Act entitled, "An Act to provide for the visitation of children placed in family homes," approved May 13, 1905, in force July 1, 1905, and by adding three new sections to be known as sections 1a, 1b, and 1c.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly: REPORTS TO BE MADE TO STATE BOARD.]* That
3 sections 1 and 8 of an Act entitled, "An Act to provide for the visitation of
4 children placed in family homes," approved May 13, 1905, in force July 1, 1905,
5 be and the same are hereby amended, and by adding thereto three new sec-
6 tions to be known as sections 1a, 1b, and 1c, which said sections as amended and
7 said additional sections shall read as follows:

8 It shall be the duty of the Superintendent or Secretary of every association
9 incorporated for the purpose of doing the business of caring for dependent,
10 neglected or delinquent children to report to the State Board of Administration,
11 on the last day of the months of March, June, September, and December of

12 each year, the name, age and sex of every child placed or replaced in a family
 13 home by such association or institution, together with the name and address of
 14 the family with which such child is placed; such quarterly reports to be made
 15 on such blanks as may be prescribed by the State Board of Administration.

16 It shall be the duty of any circuit or county judge, county supervisor, over-
 17 seer of the poor, or other public official, or any person, not a public official or an
 18 official of an association or institution, who shall place any child in any family
 19 home to report the same within five days after the placement has been made.

Sec. 1a. LICENSE TO BE PROCURED.] Hereafter no person, firm, corporation,
 2 society, institution, hospital or nursery shall maintain an orphanage, hospital,
 3 nursery, children's home or home-finding society, not otherwise licensed by the
 4 State as an industrial school or home-finding society, and therein maintain two
 5 or more children under the age of eighteen years without first registering with,
 6 and obtaining a license from, the State Board of Administration; such registra-
 7 tion shall show the full name and address of the person or corporation register-
 8 ing, the plan of operation, a list of the officers and their addresses and such
 9 other information as the Board of Administration may require.

Sec. 1b. NOTICE TO BE GIVEN STATE BOARD OF ADMINISTRATION.] Hereafter no
 2 person, firm, corporation, society, institution, hospital or nursery shall place
 3 any child in a family home before reporting to the State Board of Administra-
 4 tion the name of the child, the name and address of the family with whom it is
 5 to be placed, the court committing said child, if any, a brief statement of the
 6 reason for committment, the names and addresses of the child's father and
 7 mother.

Sec. 1c. REPORT BY COUNTY CLERK.] Between August 1st and August 31st
 2 in each year, the county clerks of the several counties in the State shall make
 3 out and forward to the State Board of Administration a report itemizing the
 4 amounts paid by their respective counties to any person, firm, corporation, so-

5 ciety, institution, hospital or nursery caring or purporting to care, in any way
6 for children during the prior year.

Sec. 8. PENALTIES.] The agent of any association or institution or any
2 person who shall violate the provisions of this Act shall be guilty of a misde-
3 meanor and be fined not less than \$50, nor more than \$500, or imprisoned in
4 the county jail for not more than one year, or both, in the discretion of the
5 judge.

- 1 Introduced by Mr. Tice (by request) April 16, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend section one hundred and sixteen (116) of an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section one hundred and sixteen
3 (116) of an Act entitled, "An Act to revise the law in relation to roads and
4 bridges," approved June 27, 1913, in force July 1, 1913, be and the same is hereby
5 amended so as to read as follows:

6 Sec. 116. PLANS—BIDS—NOTICE.] When the plans and specifications are
7 completed, the commissioners shall advertise for sealed bids for said work, *ex-*
8 *cepting such work as may be done by convict labor, or work done where free*
9 *stone from the penitentiary is used or where work is done with machinery or*
10 *supervision from the State highway department,* by publishing a notice thereof
11 for at least three weeks in some newspaper published in said township or road
12 district. If there is no newspaper published therein, then in the newspaper pub-

lished nearest said township or road district, and also by posting notices in at least ten of the most public places in said town or road district. *All work done under this Act, where convict labor is employed, or where free stone from the penitentiary is used or where machinery or supervision from the State highway department is secured may be supervised by the highway commissioner or State highway department without contract.*



1 Introduced by Mr. Burns, April 16, 1915.

2 Read by title, ordered printed and referred to Committee on Efficiency and
Economy.

A BILL

For an Act to revise the law in relation to State contracts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* SCOPE OF ACT.] That the stationery,
3 and printing paper furnished for the use of the State; the copying, printing,
4 binding, and distributing the laws and journals, and all other printing ordered
5 by the General Assembly shall be let by contract to the lowest responsible bidder
6 in the manner hereinafter provided.

7 The term printing, as used in this Act, shall, in addition to its common
8 signification, mean and include maps, charts, illustrations, engravings, lithograph-
9 ing, steel and copper plate printing, electrotyping, and half-tone, zinc, wood, or
10 other process work. The term stationery, as used in this Act, shall, in addi-
11 tion to its common signification, mean and include stenographic and typewriter
12 supplies.

Sec. 2. SUPERINTENDENT OF PRINTING.] The Governor shall nominate and, by and with the advice and consent of the Senate, appoint a Superintendent of Printing, who must be a practical printer and who has had experience in estimating book and job work and who must possess a good general knowledge of paper in its various grades and of book binding, to take charge of all printing and binding for the State and to purchase stationery required for the use of the State. If the Senate is not in session when this Act takes effect the Governor shall make a temporary appointment as in the case of a vacancy.

The Superintendent of Printing first appointed shall hold office until January 15, 1917, and until his successor is appointed and qualified. On or before January 15, 1917, and every four years thereafter the Governor shall nominate and, by and with the advice and consent of the Senate, appoint a Superintendent of Printing to serve for a term of four (4) years from and after the expiration of the term of his predecessor and until his successor is appointed and qualified. In case of a vacancy during the recess of the Senate the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office for the unexpired portion of the term.

The Superintendent of Printing shall receive a salary of five thousand dollars (\$5,000) per annum, payable in equal monthly installments.

Before entering upon the duties of his office he shall enter into a bond, payable to the People of the State of Illinois, in such amount, not less than \$10,000, as may be fixed by the Governor, conditioned for the faithful performance of the duties of his office, which bond shall be approved by the Attorney-General as to its form and by the Governor as to the sufficiency of its sureties, and the same shall be filed in the office of the Secretary of State.

Attached to said bond shall be the oath of office prescribed by the constitution for State officers.

Sec. 3. GENERAL POWERS AND DUTIES.] The Superintendent of Printing

2 shall be responsible for the administration of the affairs of his office and shall
3 see that all the provisions of this Act are strictly enforced. He shall have
4 supervision over the officers and employees of his office and shall see that they
5 perform their duties faithfully and efficiently. He shall prescribe and define
6 the duties of all officers and employees in his office in so far as such duties are
7 not prescribed and defined by this Act, and shall see that such officers and em-
8 ployees perform their respective duties. He shall make biennial reports to the
9 Governor setting forth the cost of public printing, binding, printing paper, and
10 stationery and shall, in his report, recommend retrenchments.

Sec. 4. COLLUSION, PENALTY.] If the Superintendent of Printing shall, by

2 himself or through others, corruptly collude or have any secret understand-
3 ing with any person to defraud the State of Illinois, or whereby the State of
4 Illinois shall be made to sustain a loss, he shall, on conviction thereof before
5 any court of competent jurisdiction, forfeit his office and be imprisoned in the
6 penitentiary for a term of not less than one (1) or more than five (5) years,
7 and fined in a sum not exceeding three thousand dollars (\$3,000) and the sure-
8 ties upon his official bond shall be held and bound for the amount of any fine
9 which may be assessed and fixed under the provisions of this section.

ADVERTISEMENTS AND CONTRACTS.

Sec. 5. ADVERTISEMENTS FOR BIDS.] (a) Between the first Monday in July

2 and the first Monday in August, A. D. 1916, the Superintendent of Printing
3 shall, as to the public printing which must be performed at the city of Spring-
4 field, advertise in Springfield in one of the daily papers published in that city;
5 and shall, as to other public printing and as to contracts for doing the public
6 binding of the State, advertise in one or more of the daily papers published in
7 each of six cities of the State having a population in excess of twenty thousand,
8 as shown by the Federal census then next preceding, and located in different parts
9 of the State, for proposals to do the public printing of the State (except that

10 which must be done at the city of Springfield) to do the public binding of the
11 State, from the first day of October, A. D. 1916, to and including the thirtieth day
12 of June, A. D. 1917.

13 (b) Between the first Monday of May, A. D. 1917, and the first Monday of
14 June, A. D. 1917, and between those dates every two years thereafter, the Super-
15 intendent of Printing shall advertise, in the manner provided in paragraph (a)
16 of this section, for doing the work specified in said paragraph (a) for the bien-
17 nial period next succeeding commencing on the first day of July of the year in
18 which such contract is let to and including the thirtieth day of June of the second
19 succeeding year, except as otherwise provided therein.

20 (c) He shall, from time to time as contracts are to be let therefor, adver-
21 tise at Springfield and Chicago in some one of the daily newspapers published
22 in each of such cities for proposals to furnish printing paper, cover paper and
23 other paper and envelopes, and stationery for the State, and to do the lithograph
24 ing, engraving, electrotyping, plate printing, and other like printing for the State.

25 (d) The Superintendent of Printing shall also, within the dates when ad-
26 vertisements are being published in newspapers, mail to such persons within
27 the State of Illinois as he may reasonably believe may be prospective bidders
28 for any class or sub-class of work to be performed or articles to be furnished
29 copies of such advertisement, and shall make and preserve a record of the names
30 and addresses of the persons to whom such copies are mailed.

31 (e) Each of such advertisements for proposals shall be published ten days
32 from and including the date of its first publication and shall give notice that
33 sealed proposals for furnishing the articles or performing the work required dur-
34 ing the contract period mentioned in the advertisement will be received at the
35 office of the Superintendent of Printing on or before a date specified in such
36 notice. The advertisement shall also set forth specifically, or by way of refer-
37 ence to specifications, what will be required of bidders under this Act, the amount
38 of the certified check to be deposited with the respective bid, and such other parti-
39 culars as the Superintendent of Printing may deem proper. Any advertisement
40 may embrace propositions for all or a part of the materials to be furnished or

41 work to be done, but shall solicit separate bids for each class or sub-class of
 42 articles to be furnished or work to be done, and each of such class or sub-class
 43 shall be let in a separate contract.

Sec. 6. Bids.] Every bid for doing work or furnishing materials shall be
 2 in writing, enclosed in a sealed envelope having endorsed thereon—"Proposal of
 3, whose address is.....,
 4 for,," filling in the blanks
 5 with the name and address of the bidder and the designation of the work or ma-
 6 terials for which the bid is made, and shall be filed in the office of the Super-
 7 intendent of Printing on or before the day specified in the advertisement for re-
 8 ceiving bids. Each bid for doing work or furnishing materials shall be accom-
 9 panied by a certified check payable to the order of the Superintendent of
 10 Printing in an amount to be fixed by the Superintendent of Printing with the
 11 approval of the Governor, but not to exceed \$1,000, and shall also be accompanied
 12 by a provisional agreement, under seal, executed by the bidder to the effect that
 13 if such bid be accepted and if he shall fail to execute a contract and execute a
 14 bond within the time and conditioned as required by law, then, and in either
 15 such case, the amount of such certified check shall become absolutely the prop-
 16 erty of the State of Illinois and may be retained by the State as and for liqui-
 17 dated damages.

Sec. 7. OPENING OF BIDS AND AWARD OF CONTRACTS.] At the time designated
 2 in the advertisement for opening bids the Superintendent of Printing shall, in
 3 the presence of the Governor, open and publicly read the bids for doing work
 4 or furnishing materials. The Superintendent of Printing and the Governor shall
 5 thereupon fix a time, which shall not be more than ten days thereafter, when con-
 6 tracts for doing work or furnishing materials to the State will be publicly award-
 7 ed, or such contracts may be publicly awarded on the same day that bids are
 8 opened and publicly read.

9 At the time fixed for publicly awarding the contract for each class of work
 10 to be done or materials to be furnished the Superintendent of Printing shall,

11 in the presence of the Governor, publicly award the contract for each class or
12 sub-class of work to be done or materials to be furnished to the lowest respon-
13 sible bidder, taking bond from him in an amount to be fixed by the Superintend-
14 ent of Printing and the Governor, but not to exceed \$10,000, conditioned for the
15 faithful performance of the contract. Nothing in this Act shall be construed so
16 as to prevent the same person from bidding for more than one class or sub-class
17 of work to be done or articles to be furnished.

18 If two or more persons bid the same price for either class or sub-class of
19 work to be done or articles to be furnished, and such price is lowest for that
20 class or sub-class or for such articles, the Superintendent of Printing shall
21 award the contract to such one of such bidders as he shall decide publicly by
22 lot to award it to.

23 All contracts shall be subject to the approval of the Governor, and if he dis-
24 approves the same there shall be a re-letting of the contract.

25 The Superintendent of Printing, with the consent of the Governor, may re-
26 ject any and all bids.

Sec. 8. MAKING OF CONTRACTS.] Within ten days after the acceptance of
2 any bid for doing work or furnishing of material the Superintendent of Printing
3 shall cause a contract to be prepared and entered into by himself, as repre-
4 senting the State of Illinois, with the approval thereon in writing of the Gov-
5 ernor, and such bidder, setting forth fully the terms and conditions under
6 which the work specified is to be performed or the articles furnished. Such
7 bidder shall at the time execute a bond in a penal sum to be fixed by the Super-
8 intendent of Printing, with the approval of the Governor, (but not to exceed
9 \$10,000), payable to the People of the State of Illinois, with not less than two
10 sureties who shall be responsible free holders of this State, and who shall justify
11 under oath that they are each worth over and above all debts and property ex-
12 empt from execution an amount equal to the amount named as a penalty in such
13 bond, conditioned for the faithful performance of all duties required of him by
14 law and by the terms and conditions of his contract. Such bond shall be ap-

15 proved by the Superintendent of Printing and the Governor and it, together with
16 the contract and all other papers relating thereto, shall be deposited in the office
17 of the Secretary of State.

Sec. 9. RETURN OF CERTIFIED CHECKS, ETC.] If for any reason a bid shall
2 be rejected the certified check and the provisional agreement deposited by such
3 bidder shall be returned to him without unnecessary delay. The certified
4 check and the provisional agreement of each successful bidder shall be retained
5 until such bidder has entered into a contract and furnished the bond required of
6 him, when such certified check and provisional agreement shall be returned; but
7 if such successful bidder should fail to enter into a contract and furnish the
8 bond required of him within the time required by this act, then and in either case,
9 the Superintendent of Printing shall collect the amount of such certified check
10 and cover the same into the State Treasury.

Sec. 10. READVERTISEMENT, BIDS, AND CONTRACTS.] If for any reason any
2 contract for doing work or furnishing material shall not be let at the time con-
3 templated by this Act, and whenever on account of any such contract being can-
4 celled, or for other cause, any contract is required to be let at any other time, the
5 Superintendent of Printing shall fix the time when he will receive bids therefor
6 and shall solicit and receive such bids and make awards, as nearly as may be,
7 in the same manner and upon the same terms as hereinbefore provided. The re-
8 advertisement for such bids may be for a time not exceeding five days, and the
9 award shall be made by the Superintendent of Printing, with the approval of the
10 Governor, at the time fixed in such re-advertisement or at such subsequent time
11 as the Superintendent of Printing and the Governor may, on the day such bids
12 are opened, publicly fix, which day shall not be more than ten days from the day
13 such bids are opened.

Sec. 11. CANCELLING CONTRACTS.] If any contractor shall refuse or fail, in
2 whole or in part, to fulfill his contract the Superintendent of Printing may cancel
3 such contract and, having done so, shall notify the contractor in writing, specify-
4 ing his reason for so doing. He shall also notify the Attorney General in writing

5 of such refusal or failure, and it shall be the duty of the Attorney General to
 6 bring suit on the bond of such contractor and prosecute the same to final judg-
 7 ment and execution. The Superintendent of Printing is hereby given full power
 8 and authority, with the approval of the Governor, to suspend, declare void, or
 9 cancel any State contract entered into by him whenever he is of the opinion that
 10 such contract was obtained by fraud, conspiracy, or any other unlawful means,
 11 and whenever any such contract is so held to be void, suspended, or can-
 12 celled, or any investigation thereof is being had by the General As-
 13 sembly or either House thereof, then and in such case the Superintendent of
 14 Printing is hereby given power and authority, with the approval of the Gover-
 15 nor, to enter into and carry out any new contract or contracts for the unexpired
 16 portion of the two-year period in such manner as he may deem for the best
 17 interests of the State.

Sec. 12. NO CONTRACT WITH STATE OFFICERS, ETC.] No contract shall be let
 2 to any person holding any State office in this State or a seat in the General As-
 3 sembly, or to any person employed in any of the offices of the State government,
 4 or the wife of a State officer, member of the General Assembly, or employee as
 5 aforesaid, nor shall any State officer, member of the General Assembly, or wife
 6 of employee as aforesaid, become, directly or indirectly, interested in any such
 7 contract, under penalty of forfeiting such contract and being fined not exceeding
 8 one thousand dollars.

Sec. 13. PREVENTING COMPETITION.] Any person who shall offer or pay
 2 to any person any money or other valuable thing to induce such person not to
 3 bid for a State contract or as a recompense to him for not having bid for such
 4 contract shall be guilty of a felony and, upon conviction thereof, shall be pun-
 5 ished by imprisonment in the penitentiary not longer than three years. Any per-
 6 son who shall accept any money or other valuable thing for not bidding for a
 7 State contract, or who shall withhold a bid in consideration of the promise for
 8 the payment of money or other valuable thing, shall be guilty of a felony and,
 9 on conviction thereof, shall be imprisoned in the penitentiary not longer than
 10 three years.

PRINTING.

Sec. 14. CLASSIFICATION.] The printing for the State shall be divided into
2 eight classes and shall, except as otherwise provided in this act, be let in sepa-
3 rate contracts for each class, as follows:

4 *First:* The printing, folding, stitching and trimming of bills, resolutions,
5 and conference reports for the General Assembly shall constitute the first class.

6 *Second:* The printing of the journals, including the daily journals of the
7 Senate and House of Representatives, and all other printing for the General As-
8 sembly, such as blanks, rules, calendars, cards, synopses of bills, reports of com-
9 mittees, and communications, and not comprehended within the first class, and all
10 necessary binding for the same, except for the permanent bound volumes of the
11 journals, shall constitute the second class.

12 *Third:* The printing of the session laws and reports of all officers, boards,
13 commissions, institutions, and departments, which are bound in cloth or leather
14 or partly in cloth or leather and partly in paper, shall constitute the third class.

15 *Fourth:* The printing, folding, stitching, binding, and trimming of state-
16 ments, briefs, and abstracts for the Attorney General shall constitute the fourth
17 class.

18 *Fifth:* The printing, stitching, ruling, lining, indexing, and binding of elec-
19 tion registers shall constitute the fifth class.

20 *Sixth:* All pamphlet work, including circulars, synopses and other similar
21 work, and all reports and documents which are not bound in cloth, leather, or
22 other hard binding, including binding therefor, and not comprehended in any
23 other class, shall constitute the sixth class.

24 *Seventh:* All job printing and all printing not otherwise classified, includ-
25 ing binding therefor if ordered by the Superintendent of Printing, shall consti-
26 tute the seventh class.

27 *Eighth:* Lithographing, maps, charts, and illustrations, engravings, steel
28 and copper plate printing, electrotyping, half-tone, zinc, wood and other pro-
29 cess work shall constitute the eighth class.

Sec. 15. SUB-CLASSES.] The Superintendent of Printing may, in his discretion, if he deems it to be to the best interests of the State, divide any class of printing into sub-classes and advertise for bids and award contracts, with the approval of the Governor, for the printing of such sub-classes.

Sec. 16. GENERAL PROVISIONS.] Contracts for public printing may be performed either at the city of Springfield or elsewhere in the State, except as to such portions of the work as the Superintendent of Printing, with the approval in writing of the Governor, shall determine must, for the convenience of the public service, be performed at the city of Springfield. The advertisement for bids shall in every case indicate whether the work will be required to be performed at the city of Springfield or may be performed elsewhere in the State.

Contracts for public binding may be performed anywhere within the State.

Sec. 17. MANNER OF PRINTING, ETC.] All printing shall be done under the general supervision and direction of the Superintendent of Printing. He shall give general directions for the making up of matter in all classes, so as to avoid unnecessary charges for composition or press work, and the contractor shall observe such directions.

The manner, form, style, size, and arrangement of type, the spacing of lines, the width of borders and margins, the method and material of all public printing shall, when not otherwise prescribed by law, be determined by the Superintendent of Printing, having proper regard to economy and workmanship and the purpose for which the work is needed.

Sec. 18. CONTRACT PERIODS.] Except as otherwise provided in this Act all contracts for public printing shall be for the term of two years from the first day of July of the year in which such contract is let to and including the thirtieth day of June of each second year thereafter; *provided*, that if by reason of trade and business conditions affecting the printing industry, the Superintendent of Printing, with the approval of the Governor, deems it to be to the best interests of the State to sub-divide the biennial printing or other contracts in any or all classes or sub-classes into shorter contract periods, he is hereby vested with power so to do.

Sec. 19. REQUISITIONS, ETC.] All printing shall be ordered through the
2 office of the Superintendent of Printing, and all requisitions, except as other-
3 wise herein provided, shall be signed by the officer, board, institution, commis-
4 sion, or department requiring such printing. A copy of each order for printing
5 or other work or material issued by the Superintendent of Printing shall be trans-
6 mitted by him to the Secretary of State. Each requisition for printing shall
7 be accompanied by printer's copy which shall be carefully edited before pre-
8 sentation to the Superintendent of Printing. It shall be the duty of the Superin-
9 tendent of Printing, before delivering printer's copy to the contractor, carefully
10 to examine such printer's copy and to indicate thereon the style in which such
11 order shall be executed by the contractor.

12 The Superintendent of Printing, in ordering printing, shall, by combining or-
13 ders or otherwise, as far as possible, prevent charges for constructive or
14 double composition and the contractor shall follow such directions.

Sec. 20. NUMBER OF COPIES.] Except as otherwise provided in this Act the
2 quantity of matter to be printed for any officer, board, commission, or depart-
3 ment under the supervision of the Governor shall be determined by the Super-
4 intendent of Printing. In ordering public printing each of such officers, boards,
5 commissions, and departments may request the printing of a certain definite
6 number of copies for which printer's copy is furnished. If, in such case, in the
7 opinion of the Superintendent of Printing the number of copies mentioned in
8 such requisition is in excess of the reasonable demands of the public service he
9 may decline to issue a printing order to the contractor to print the number of
10 copies specified in such requisition, and, if he declines to issue such printing
11 order, he shall notify in writing the authority making such requisition of his de-
12 cision and of the grounds thereof.

13 In case of a disagreement between the Superintendent of Printing and any
14 such officer, board, commission, or department as to the number of copies to be
15 printed an appeal may be taken to the Governor by the authority making requis-
16 ition for such printing, and the decision of the Governor shall be final.

17 The Governor, Lieutenant-Governor, Secretary of State, Auditor of Public
 18 Accounts, Treasurer, Superintendent of Public Instruction, and Attorney Gen-
 19 eral shall, respectively, be entitled to such quantity of public printing and binding
 20 as in their discretion the reasonable demands of their respective offices and of the
 21 public service may require.

 Sec. 21. CONTRACTORS' DUTIES—PROOFS.] The contractor shall execute with-
 2 in such reasonable time as the Superintendent of Printing may require and in a
 3 manner acceptable to such Superintendent all orders for printing issued to
 4 him. It shall be incumbent upon the contractor for any class or sub-class of
 5 printing to supply such material and appliances as are in the judgment of the
 6 Superintendent of Printing considered reasonably necessary for the prompt and
 7 workmanlike execution of the work, and the best quality of ink suitable for the
 8 character of work being executed shall be used in the press work. The contrac-
 9 tor for work in all classes and sub-classes, unless otherwise ordered by the Su-
 10 perintendent of Printing, shall read and correct the first proof of all work done
 11 by him and see that the same is reasonably free from errors, properly made up in
 12 accordance with the order of the Superintendent of Printing, uniform in style,
 13 punctuation and capitalization, and conformable to copy furnished. A corrected
 14 proof shall then be sent to the Superintendent of Printing who shall read the
 15 same. If additions, changes from copy, or corrections be made in the corrected
 16 proof the Superintendent of Printing shall designate the same and the contractor
 17 shall promptly make the additions, changes from copy, or corrections indicated
 18 on such proof and return it to the Superintendent of Printing for a revision, if
 19 required. The contractor shall return to the Superintendent of Printing the
 20 printer's copy which was furnished to him.

21 The Superintendent of Printing shall retain in his office for a period of two
 22 years the printer's copy of all public printing ordered, and at the expiration of
 23 such two years he may destroy the same.

24 If any job is rejected on account of error attributable to the contractor he
 25 shall promptly reprint the job without additional charge, furnishing at his own
 26 cost, charge, and expense all necessary printing paper or other material or
 27 work therefor.

Sec. 22. RECORD OF PRINTING.] The Superintendent of Printing shall keep
2 a record of all printing ordered, and shall file and preserve a copy of each docu-
3 ment printed. The copy of each document printed, to be filed as aforesaid, shall,
4 before it is filed, have endorsed upon it the number of copies ordered and re-
5 ceived, the cost of the same, and the authority by which the printing thereof was
6 ordered.

Sec. 23. DELIVERY.] All matter which may be ordered printed shall be de-
2 livered to the contractor with as little delay as possible, and the contractor who
3 is bound by his contract to print the same shall not be held accountable for any
4 delay occasioned by want of copy or in returning proofs. Any and all transpor-
5 tation charges for delivery of work and material shall be borne by the contractor
6 or contractors.

Sec. 24. PRINTING PAPER.] The paper for the printing of all classes shall
2 be provided by the State. The Superintendent of Printing shall, from time to
3 time as the same may be needed, deliver to each contractor paper for the print-
4 ing such contractor is required by his contract to do; shall take from each contrac-
5 tor a receipt for all paper so delivered and shall keep an account of the same. At
6 the expiration of his contract each contractor shall deliver to the Superintendent
7 of Printing all paper then in his possession belonging to the State. The Super-
8 intendent of Printing shall take note of the paper so returned, and if it is found
9 that any of the paper delivered to the contractor has been wasted or converted
10 to other use than that of the State the contractor shall be charged with the
11 full value thereof, together with the penalty of fifty per cent of the value of the
12 paper so used or wasted, and the amount shall be deducted from his account
13 or may be recovered in an action on his bond; *provided*, that an allowance of
14 not to exceed five per cent on the cost of said paper may be made for the usual
15 wastage; and *provided further*, in blank book printing an allowance of not ex-
16 ceeding 15 full sheets on each blank book ordered may be allowed.

Sec. 25. DELIVERY TO BINDING CONTRACTOR.] The contractor for printing
2 shall, at his own cost and expense, deliver all work required of him by the Super-

intendent of Printing to the contractor for public binding and in such forms as the Superintendent of Printing may require.

Sec. 26. UNREASONABLE DELAY.] If in the opinion of the Superintendent of Printing any contractor for printing in any class, or sub-class if there be any, shall fail, refuse, or neglect, for an unreasonable time, to do or to complete and deliver, or if, in his opinion, any contractor aforesaid cannot do and complete and deliver within the time required by the necessities of the State any particular order or orders for printing in any class or sub-class, then the Superintendent of Printing, with the approval of the Governor, may award the contract for such class or sub-class or for the execution of such particular order or orders, without previous advertisement for bids, to the lowest responsible bidder therefor; and, in case any contractor shall be notified in writing by the Superintendent of Printing that any particular order, or orders, is withdrawn from him for an unreasonable delay, such contractor shall at once, on demand, deliver to the Superintendent of Printing, or to his order, printer's copy of the work so unreasonably delayed. In case any particular order or orders shall be withdrawn from any contractor for an unreasonable delay, as provided in this section, the Superintendent of Printing, in the adjustment of the accounts of such contractor, may allow the contractor the contract price of so much of such order as may be completed and accepted, deducting therefrom the damages, if any, sustained by the State by reason of such unreasonable delay.

Sec. 27. "PRINTED BY AUTHORITY."] All books, pamphlets, documents, and reports printed through the office of the Superintendent of Printing shall have printed thereon the words: "Printed by authority of the State of Illinois." No publication shall have written, stamped, or printed thereon, nor attached thereto, the words, "Compliments of," followed by the name of any one, nor any other words of similar purport.

Sec. 28. PRINTING FOR THE GENERAL ASSEMBLY.] Public printing for the exclusive use of either House of the General Assembly shall be subject to its

3 control. Whenever either House requires any printing for its exclusive use its
4 chief clerical officer, and whenever any joint action of both Houses is taken re-
5 quiring any printing to be done, the chief clerical officer of the House where such
6 action originates, shall deliver to the Superintendent of Printing printer's copy
7 therefor with an order for such printing. All bills, except bills of extraordinary
8 length, all resolutions, all joint resolutions, memorials, and daily calendars for
9 which copy is delivered to the Superintendent of Printing by the respective
10 clerical officers shall be printed at such time as will permit their delivery to the
11 Secretary of State and by him to the clerical officer making such order therefor by
12 nine o'clock of the morning, except Sunday, next succeeding the day on which the
13 order for such printing is delivered.

Sec. 29. TYPE USED—PROOFREADER.] The type used in doing the printing of
2 the bills, resolutions and conference reports of the General Assembly shall be
3 small pica (11 point), composed in a measure six inches wide and made up into
4 pages ten and one-half inches long, or so as to contain three thousand ems as
5 nearly as may be. Between the lines shall be a space not exceeding a pica (12
6 point) slug, but if any matter should properly be set solid the Superintendent of
7 Printing may so decide and direct. During the session of the General Assembly
8 the Superintendent of Printing shall appoint a skilled and competent person or
9 persons to read the proof of work in this class and the contractor shall furnish
10 such proofreader or readers with suitable office room, and shall also provide, at
11 the contractor's expense, an acceptable copy-holder or holders to assist such
12 proofreader or readers.

Sec. 30. JOURNALS.] The clerk of the House of Representatives and the
2 secretary of the Senate shall, respectively, prepare and deliver to the Superin-
3 tendent of Printing immediately after the close of each daily session printer's
4 copy of its daily journals.

5 The journals, including the daily journals, if any are ordered by the General
6 Assembly, shall be set solid, under the instruction of the Superintendent of

7 Printing, without the intervention of unnecessary leads or slugs. In the printed
 8 journal of each House of the General Assembly each division list of the yeas and
 9 nays shall be set in nonpareil (6 point) type in five columns in alphabetical order.
 10 When two or more surnames are alike they shall be distinguished in the list
 11 by the addition of the christian name or initials.

12 The page numbers of the daily journal shall be consecutive and continuous
 13 from day to day. The Superintendent of Printing shall have three hundred
 14 copies of the first edition of the daily journal printed for the use of the Gen-
 15 eral Assembly and for the use of the officers of the State government. This
 16 edition may, if the Superintendent of Printing so orders, be printed upon tinted
 17 paper. After all errors of the first edition of the daily journal have been cor-
 18 rected the Superintendent of Printing shall have printed a sufficient number
 19 of the daily journals for the use of the General Assembly and for the use of
 20 the officers of the State government and all others who may be interested there-
 21 in, and the Secretary of State shall preserve for binding in book form at the end of
 22 the session a sufficient number to constitute the bound volumes of the journal of
 23 each House. Within sixty days after the adjournment of the General Assembly
 24 the Secretary of State shall prepare and deliver to the Superintendent of Print-
 25 ing printer's copy of matter not already printed in the daily journal which is re-
 26 quired by law or by the order of either House of the General Assembly or by
 27 joint resolution to be printed in the journals. The matter furnished for
 28 printing by the Secretary of State after the adjournment of the General As-
 29 sembly shall be printed in the respective journals as an appendix. It shall be
 30 the duty of the Secretary of State to prepare and furnish to the Superintend-
 31 ent of Printing indexes to the respective journals.

Sec. 31. SESSION LAWS.] Immediately after the adjournment of the General
 2 Assembly it shall be the duty of the Secretary of State to prepare printer's copy
 3 for the volume entitled "Session Laws of Illinois," which shall contain in full
 4 all Acts and all joint resolutions passed by the General Assembly during such
 5 general or special session. The title pages of the volume of the session laws

6 shall contain the following words: "Printed by authority of the General As-
7 sembly of the State of Illinois." The laws shall be arranged by the Secretary
8 of State in alphabetical order, according to the subject matter, and be thus
9 printed. The day on which an Act was approved by the Governor shall be
10 stated at the end of such Act. All Acts becoming law without the approval of
11 the Governor shall be marked in the volume of the laws, at the end of each of
12 such Acts, by the printed certificate of the Secretary of State.

13 The Secretary of State shall also prepare and furnish a table of contents
14 and an index to the volume of the session laws.

REPORTS OF OFFICERS.

Sec. 32. REPORTS TO BE PRINTED.] The messages to the General Assembly
2 by the Governor and the biennial reports of the Lieutenant Governor, Secre-
3 tary of State, Auditor of Public Accounts, Treasurer, Superintendent of Pub-
4 lic Instruction, Attorney General, and of all other officers, boards, commissions,
5 institutions, and departments, shall be printed, bound, and distributed at public
6 expense.

7 Any other report made to the Governor by virtue of the Constitution or
8 of law shall, upon the order and direction of the Governor, be printed, bound,
9 and distributed at public expense.

Sec. 33. REPORTS TO BE EDITED.] Each report, before being submitted to the
2 Superintendent of Printing for printing, shall be carefully edited, and there
3 must be omitted therefrom all journals and minutes of proceedings and all cor-
4 respondence, petitions, orders, and other documents or writings whose substance
5 can be briefly stated. No report shall contain any advertising matter nor any
6 copying of the session laws or statutes, except minor extracts explanatory of
7 and incorporated in the text. Statistical tables shall, so far as practicable, be
8 consolidated. All matter which is of interest to individuals chiefly, and not im-
9 portant information concerning public affairs, shall be omitted therefrom. Any

printer's copy of a report failing to comply in substance with the provisions of this section, shall be returned to the proper officer for correction, and until the corrections ordered by the Superintendent of Printing are made, such report shall not be printed.

Sec. 34. NUMBER OF COPIES.] The printing of the Governor's message and of the editions of the biennial and other reports mentioned in section 32 of this Act shall be limited as follows:

Message or Report.	Maximum Number of Copies.
Governor's message	10,000
Lieutenant Governor's report.....	1,000
Report of Secretary of State.....	3,000
Report of Auditor of Public Accounts.	5,000
Report of State Treasurer.....	3,000
Report of Superintendent of Public Instruction	6,000
Report of Attorney General, exclusive of opinions	3,000

Of any report now or hereafter required by the Constitution or by statute to be made to the Governor, and not enumerated in this section, such number of copies containing such number of pages shall be printed as may be ordered and directed by the Governor.

Sec. 35. The number of reports ordered printed, except where the maximum number is fixed by this Act, shall not exceed the probable and reasonable demands of the State therefor. If experience shall demonstrate that the number of copies of any report ordered printed, except where the maximum number is fixed by this Act, is, after any year, in excess of the demands of the State the number of copies of such report ordered printed shall thereafter be determined from previous experience.

Sec. 36. LEAFLETS, PAMPHLETS, FOLDERS, ETC.] The Secretary of State is
2 empowered, in his discretion, to order printed, from time to time, leaflets,
3 pamphlets, or folders, in such number as he may deem reasonable, parts of
4 official reports, extracts from the statutes on particular subjects, copies of the
5 opinions and decisions of any State officer, board, commission, institution, or de-
6 partment, excerpts from official reports, and special editions of such other docu-
7 ments and reports as the demands of the public service may reasonably re-
8 quire.

Sec. 37. JOB WORK.] Job printing, or printing of the seventh class, shall in-
2 clude such labels, envelopes, letter-heads, note-heads, bill-heads, blanks of all
3 kinds, folders, circulars, postal cards, announcements, instructions, bulletins,
4 cards for card catalogues, indexes, slips, pay rolls, statements, tables of receipts
5 and disbursements, certificates, directories, election and other notices, and such
6 other printing not specified in this Act as may be permitted or required by law
7 and necessary for the use of any officer, board, commission, institution, or de-
8 partment of the State government. In cases where binding is necessary in con-
9 nection with printing in this class the Superintendent of Printing may order such
10 binding executed by the contractor for this class.

Sec. 38. WORK IN CLASS 8.] Upon the requisition of the General Assembly
2 or of any officer, board, commission, institution, or department of the State govern-
3 ment the Superintendent of Printing shall order the making of the neces-
4 sary plates for and the printing of maps, charts, illustrations, tabula-
5 tions, and other exhibits to be found as inserts or to be mounted or used separ-
6 ately. He shall also cause to be made the necessary engravings for and pro-
7 cure lithographed, engraved, or embossed stationery and envelopes, commis-
8 sions, blanks, warrants, etc.

9 The contract for doing the work of this class may be divided and let in such
10 manner and at such times as the Superintendent of Printing may deem to be
11 for the best interests of the State; *provided*, that no contract shall exceed two
12 years.

Sec. 39. MAXIMUM PRICES.] The highest prices that may be paid for the

2 public printing of the State, under this Act, shall be as follows:

3 First: For composition per 1,000 ems:

4 Plain	\$.60
5 Tabular, not more than two justifications .....	.90
6 Tabular, three justifications or more.....	1.20
7 Reimposing necessitated by any change in imposed matter, per 1,000 ems..	10%

8 Second: For press work, as follows:

9 Sheets 14x17 to 25x38 inches, inclusive.

10 Printed Matter:

11 First 250 impressions.....	\$.80
12 Each additional 250 impressions to 1,000 .....	.40
13 1,000 to 5,000 per 1,000 impressions.....	2.00
14 Each 1,000 impressions above 5,000 up to 10,000.....	1.75
15 Each 1,000 impressions above 10,000 up to 20,000.....	1.50
16 Each 1,000 impressions above 20,000 up to 40,000.....	1.25
17 Halftones for inserts, 16 pp. or less, 50% may be added to above prices.	

18 Sheets smaller than 14x17 inches.

19 First 250 impressions	\$.65
20 Each additional 250 impressions up to 1,000 .....	.30
21 1,000 to 5,000, per 1,000 impressions.....	1.60
22 Each 1,000 impressions above 5,000 up to 10,000.....	1.00
23 Each 1,000 impressions above 10,000 up to 20,000.....	.80
24 Each 1,000 impressions above 20,000.....	.75

25 Transfer or colored inks, 50% may be added to above prices.

26 Third: For printing, stitching, ruling, binding, lining and indexing each
27 election register, eight cents.

28 Fourth: For ruling, for the first 250 sheets, 40 cents per hundred each time
29 the sheet necessarily passes through the ruling machine, fifteen cents per 100
30 sheets each additional time the sheet passes through the ruling machine.

31 Fifth: For padding, six cents for each pad, any size or number of sheets.

32 Sixth: Binding, folding, stitching and trimming of statements, briefs, and
33 abstracts for the Attorney General, for each 100 pages aggregate count, two
34 cents, and for sewing, extra for each 100 pages aggregate count, two cents.

35 Seventh: Changing matter already in type:

36 Machine composition, per hour.....\$1.25

37 Hand composition, per hour..... .75

38 Eighth: For lithographing, and other engraving or process work in the
39 eighth class, the maximum price shall be five per centum (5%) greater than the
40 market price of such work in the city of Chicago at the time of making the
41 contract.

Sec. 40. INTERPRETATION.] Section 39 shall be interpreted in harmony with
2 the following provisions:

3 (1) In computing composition in class 1 the type shall be measured as if
4 it had been set solid; necessary fractions of pages may be counted as full pages,
5 but no blank pages shall be charged for.

6 All composition shall be measured as plain work of this class and no extra
7 allowed on account of a variance from plain composition. In estimating press
8 work in this class four pages shall be considered a form; *provided*, that any
9 number of pages fewer than four shall be considered a form when the copy of
10 any job done in this class is not sufficient to make four pages or shall make one
11 or more full forms and a fractional part of another form.

12 (2) When applied to the press work of books, pamphlets, or other docu-
13 ments having sixteen or more pages, or to job work, a thousand impressions shall
14 mean a thousand impressions of a form of 16 pages or a form containing all
15 the matter on one side of 1,000 sheets of paper, or 500 impressions of such form
16 on both sides of 500 sheets of paper. When applied to the press work of half-
17 tones, run separately from the text, a thousand impressions shall mean 1,000
18 impressions of a form of sixteen pages or less on one side of 1,000 sheets of
19 paper. No single job of press work shall be charged at less than 250 impressions.

20 When a job exceeds 1,000 impressions additional fractional parts of 1,000 im-
 21 pressions shall be charged for at a pro rata figured on the basis per thousand
 22 taken by such job.

23 (3) In printing in class 7, all work set in pica (12 point) type, or all type
 24 larger than pica (12 point), wherever used, shall be measured as pica (12 point);
 25 *provided*, that a display heading or sub heading in a job shall be measured as of
 26 the kind of type which predominates in the job. When any job is set in type
 27 smaller than pica (12 point), or when two or more sizes of type are required to
 28 be used in the body of the same job, such job shall be estimated by measuring
 29 each kind of type so used. All jobs in this class shall be measured by the sur-
 30 face actually printed over and not by the size of the sheet used. If matter is
 31 to appear in the form of pages only the actual composition shall be measured or
 32 allowed. Composition in this class shall not be allowed for blank pages, but a
 33 necessary fractional page shall be measured as a full page. Where blank space
 34 is required to be left between lines in a job such space shall be measured as
 35 though set in the size of type which predominates in the job. No form in this
 36 class shall be measured at less than one thousand ems. Press work in this class
 37 shall be estimated as follows:

38 A form shall consist of whatever appears on the surface of the paper as
 39 furnished for the job. If the job is printed on both sides of the sheet, two forms
 40 may be allowed. If any job is to be printed in the form of pages, a form shall
 41 consist of the number of pages that the paper furnished for the job will admit
 42 of printing.

43 (4) No charge for composition shall be allowed for second editions nor
 44 for any other reprint from linotype, electrotpe, stereotype or other plates or
 45 forms owned by the State. No charge for composition shall be allowed for extra
 46 copies of any printing ordered before the type shall have been distributed, if the
 47 contractor has been instructed to hold the form a reasonable time.

48 (5) One charge and no more shall be made for composition of any printing
 49 ordered by both Houses of the General Assembly.

50 (6) Jobs properly requiring changes on the press shall not be charged for
51 as separate jobs, but charge may be allowed for actual time required for making
52 such changes; *provided, however*; that such time charge shall in no case exceed
53 the cost of such job if measured separately.

54 (7) Tabular work shall consist of two or more columns of figures and
55 words, or figures or words, with or without rules separating the columns. "Ob-
56 jectionable" matter may be estimated at the price paid for tabular work.

57 (8) All composition not coming within the foregoing specific definitions
58 shall be measured as plain composition and no extra shall be allowed for such
59 work above the contract price.

60 (9) The printing in class 7 shall also include binding, when ordered by
61 the Superintendent of Printing, and also ruling, padding, scoring, and other me-
62 chanical operations necessary to procure a finished job. Bids for doing the
63 work of this class shall also specify the price for binding and the price per one
64 hundred sheets for ruling, and the price per one hundred sheets for padding,
65 and the price per one hundred sheets for the various other mechanical opera-
66 tions required.

BINDING.

Sec. 41. CLASSIFICATION.] The binding for the State shall be divided into
2 five classes, as follows, viz:

3 *First:* The folding, sewing, and trimming of the laws and journals and the
4 binding thereof in buckram with substantial tar-board or binder's board sides,
5 and any required title stamped in gold or ink, as required, on the backs, shall
6 constitute the first class.

7 *Second:* The folding, sewing, and trimming of the laws and journals and
8 the binding thereof in full law-sheep or "buckram" with No. 20 tar-board or
9 binder's board sides, and any required title stamped in gold or ink, as required,
10 on the backs, shall constitute the second class.

11 *Third:* The folding, sewing, and trimming of the reports of the executive
12 departments and public institutions, and the binding thereof in cloth and binder's

13 or cloth-board sides, with title and any required ornament embossed in gold on
14 the backs and blank fillets on the sides, shall constitute the third class.

15 *Fourth:* The folding, stitching, and trimming of reports to the General As-
16 sembly or either House thereof and other documents, and the binding of said
17 reports in paper covers, shall constitute the fourth class.

18 *Fifth:* In this class shall be included the printing and binding of all
19 ledgers, journals, cash books, warrant books, invoice books, fee books, or blank
20 books of whatsoever size or style required by any of the State departments;
21 also the tipping in of maps, plates, exhibits, and similar work; also all other
22 binding or work not usually performed in the preceding classes.

23 The Superintendent of Printing shall exhibit in his office fair samples of the
24 various articles of binding for which bids are solicited in this clause.

25 The five classes of binding may be let in one contract, or each class may be
26 let in separate contracts, or the classes may be divided into sub-classes and sep-
27 arate contracts may be let for each sub-class, as the Superintendent of Printing,
28 with the approval of the Governor, may determine.

Sec. 42. MAXIMUM PRICES.] The highest prices that may be paid for bind-
2 ing shall be as follows:

3 For the first class, per volume, fifty cents, irrespective of number of pages;

4 For the second class, per volume, law sheep, two dollars; buckram, fifty
5 cents, irrespective of number of pages;

6 For the third class, per volume, twenty cents, irrespective of number of
7 pages;

8 For the fourth class, per one hundred pages, aggregate count, two cents.

BLANK BOOKS.

Stamped in gold on backbone.

FULL RUSSIA OR EXTRA RUSSIA ENDS AND BANDS.

9	Size of Page.	Description.	Maximum Price.
10	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in.....	{ Plain \$12.00 Printed headings 13.00 Full page printing..... 14.00	
11	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 12.00 Printed headings 13.00 Full page printing..... 14.50	
12	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 14.50 Printed headings 17.00 Full page printing..... 18.00	
13	11 $\frac{3}{4}$ by 18 $\frac{1}{2}$ in.....	{ Plain 16.00 Printed headings 17.00 Full page printing..... 18.00	
14	13 $\frac{3}{4}$ by 19 $\frac{1}{2}$ in.....	{ Plain 17.00 Printed headings 20.00 Full page printing..... 20.00	
15	15 $\frac{1}{2}$ by 20 $\frac{1}{4}$ in. or larger.....	{ Plain 21.00 Printed headings 22.00 Full page printing..... 23.00	

THREE QUARTER BINDING.

16	Size of Page.	Description.	Maximum Price.
17	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in.....	{ Plain \$ 9.00 Printed headings 11.00 Full page printing..... 12.00	
18	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 11.00 Printed headings 14.00 Full page printing..... 16.00	
19	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 11.00 Printed headings 14.00 Full page printing..... 15.00	
20	11 $\frac{3}{4}$ by 18 $\frac{1}{2}$ in.....	{ Plain 12.00 Printed headings 14.00 Full page printing..... 15.00	
21	13 $\frac{3}{4}$ by 19 $\frac{1}{2}$ in.....	{ Plain 15.00 Printed headings 16.00 Full page printing..... 17.00	
22	15 $\frac{1}{2}$ by 20 $\frac{1}{4}$ in. or larger.....	{ Plain 16.00 Printed headings 17.00 Full page printing..... 18.00	

HALF BINDING.

	Size of Page.	Description.	Maximum Price.
23			
24	8 $\frac{1}{4}$ by 13 $\frac{1}{2}$ in	{ Plain\$ 4.00 Printed headings 5.00 Full page printing..... 8.00	
25	10 $\frac{1}{4}$ by 15 $\frac{1}{2}$ in.....	{ Plain 5.00 Printed headings 8.00 Full page printing..... 9.00	
26	11 $\frac{1}{4}$ by 17 $\frac{1}{2}$ in.....	{ Plain 6.00 Printed headings 7.00 Full page printing..... 8.00	

CHECK BOOK BINDING.

27	For printing, numbering, perforating and binding books of 300 leaves or	
28	less:	
29	One to page.....	\$.50
30	Two to page, 7x11.....	1.00
31	Three to page, 11x11.....	1.50
32	Larger than 11x11.....	2.00
33	Extra forms	1.00
34	Manifolding, per hundred.....	.03
35	For binding or rebinding and lettering on back or side as required of books,	
36	magazines, periodicals, or other documents for the State library or other de-	
37	partments, per volume, as follows:	

HALF ROAN.

Maximum Price.

38	Folio 12x18	\$4.00
39	Quarto 9x12	3.00
40	Octavo 6x9	2.00

HALF MOROCCO.

41	Folio 12x18	\$4.00
42	Quarto 9x12	3.00
43	Octavo 6x9	1.00

FLEXIBLE MOROCCO.

44	Folio 12x18.....	\$2.50
45	Quarto 9x12	1.50
46	Octavo 6x9	1.00

GENUINE BUCKRAM.

47	Folio 12x18	\$1.50
48	Quarto 9x12	1.00
49	Octavo 6x9 .....	.50
50	Octavo, rebind	1.00

BINDING STATEMENTS AND REPORTS, ETC.

51	For binding quarterly statements for State Board of Charities, half bind-	
52	ing, per volume.....	\$3.00
53	For printing, ruling, and binding reports of steam and electric railroads,	
54	sleeping cars, steam boat and other companies to public utilities	
55	commission, half binding, paper sides, or paper covers, as directed,	
56	maximum	1.25
57	For binding annual statements of insurance companies to insurance depart-	
58	ment, half binding, per volume.....	3.00
59	For binding the original journals of the House and Senate, half binding, per	
60	volume	2.00
61	For sewing pamphlets, extra, per 100 pages, aggregate count..	.05
62	For slitting or "cutting out" pages, per 100 .....	.10
63	For tipping or inserting in pages, plates, maps, etc., unfolded, per 100.....	.10
64	For tipping or inserting folded plates, maps, tables, etc., per 100.....	.20
65	For folding plates, maps, tables, etc., per 100 folds.....	.05
66	For binding reports of county superintendents of schools to Superintendent	
67	of Public Instruction, half binding, per volume	4.00
68	For binding House and Senate bills, black cloth, each.....	1.00
69	For numbering lines in blank books, etc., per hundred numbers.....	.04

70	For extra forms in blank books, per form	\$4 00
71	For stamping names and addresses, per line .....	.20
72	For scoring, per hundred impressions .....	.15
73	For special leather titles, singles.....	.25
74	For special leather titles, in quantities.....	.10
75	The contractor for binding shall furnish and provide, at his own cost and	
76	expense, all material necessary for doing the binding of the State.	

Sec. 43. BINDING OF LAWS, JOURNALS, ETC.] Of the number of laws and
2 journals required to be printed, 5,000 copies of the laws and 1,000 copies of the
3 journals shall be bound in the second class of binding. Binding of all other books,
4 reports, documents, pamphlets, maps, magazines, bulletins, and all other printed
5 matter, except as provided otherwise herein, shall be as prescribed by the Su-
6 perintendent of Printing.

Sec. 44. BINDING, NOT PROVIDED FOR.] In case it shall be necessary for the
2 Superintendent of Printing to order the binding of any volume or other work
3 not provided for in this Act, the compensation therefor shall be proportionate to
4 the contract prices under which similar work is being executed by the contractor.

Sec. 45. SAMPLES.] The Superintendent of Printing shall furnish bidders
2 with samples of the first, second, third, and fourth classes of binding, and du-
3 plicates of such samples shall be preserved by the Superintendent of Printing
4 until final settlement is made between the contractor and the State for such
5 binding.

Sec. 46. BIDS FOR EACH KIND OF WORK.] Each bid for folding, stitching or
2 sewing, trimming, and binding shall specify the prices at which the bidder will
3 do each kind of work, as specified in sections 41 and 42 of this Act, and no con-
4 tract shall be let for the doing of any such work at a higher rate than is speci-
5 fied in said sections.

Sec. 47. DUTIES OF BINDER.] The binder shall fold, stitch, or sew the binding
2 of work required of him by his contract in a workmanlike manner and
3 promptly, so that the public business may not be delayed, and shall deliver the
4 same at his own cost, charge, and expense to the delivery point designated by
5 the Superintendent of Printing.

Sec. 48. SUPERINTENDENT'S RECEIPT—DEDUCTIONS.] The Superintendent of
2 Printing, when binding is received, shall ascertain whether it has been executed
3 as required by contract. If the binding is not executed as required by contract
4 the Superintendent of Printing shall at once notify the contractor of the defects
5 in the work and the amount to be deducted from the contractor's bills for such
6 defects,—which deductions shall be determined by the Superintendent of Print-
7 ing and charged against said contractor by the Superintendent of Printing.

8 In case of a disagreement between the Superintendent of Printing and
9 any contractor for binding as to corrections of any account, such disagreement
10 shall be settled by the Governor and the decision of the Governor shall be final
11 as to the State of Illinois.

Sec. 49. STATE INSTITUTIONS.] The Superintendent of Printing shall super-
2 vise the printing and binding done in any of the charitable, penal, or reformatory
3 institutions of the State and all of the mechanical equipment therefor. He
4 shall send such orders for printing or for binding, or for printing and binding,
5 to such charitable, penal, or reformatory institutions of the State as are equipped
6 to do printing and binding, as will keep the inmates therein employed at such
7 work. He shall fix and prescribe the maximum amount that will be allowed to
8 such institution for the doing of such work, which maximum sum shall, in no case,
9 exceed the maximum amount which would be allowed a contractor for doing
10 such work. The institution in which such printing or such binding, or such
11 printing and binding, is done shall be paid therefor out of any appropriation
12 made for printing and binding.

Sec. 50. MANNER OF DISTRIBUTION.] Immediately after the receipt of public
2 printing such printing shall be distributed by the Secretary of State
3 as follows:

(1) Of the bound volumes of the public laws and of the bound volumes of the journals of both Houses of the General Assembly, respectively, one copy of each shall be sent to each State officer, board, commission, institution, and department, one copy each to each judge of a court of record in this State, one copy each to each county officer, 10 copies to the library of the University of Illinois, a sufficient number of copies for exchange purposes to the State library, and the remainder shall be retained for such distribution as the interests of the State may require.

(2) Of all reports and all other printed documents, pamphlets, leaflets, circulars, maps, charts, and all other printed matter of a documentary nature ordered by the General Assembly or by any officer, board, commission, institution, or department, one copy each to such persons interested therein who may make application therefor, and one copy each to such persons, institutions or public officials, as the authority making requisition for such printing may request, ten copies to the library of the University of Illinois, a sufficient number of copies for exchange purposes to the State library, and the remainder, if any, to the authority making requisition for such printing.

(3) Of all other printing, such as abstracts and briefs for the Attorney General, blanks, blank books, and printing not intended for public distribution, to the authority making requisition for such printing.

(4) The Secretary of State shall reserve in his office a reasonable number of copies of each book, pamphlet, report, or other document for future distribution.

The distribution shall be done at the State capitol, under the direction of the Secretary of State, as soon as practicable after the printed matter is ready for distribution, and shall be transmitted by the most economical, convenient, and rapid means of conveyance.

Sec. 51. MAXIMUM PRICE.] The maximum price for distributing the laws, journals, and all other printed matter required to be distributed by this or any other Act, or by resolution of the General Assembly, shall be \$1,500 per annum.

COPYING, ETC.

Sec. 52. MAXIMUM PRICE.] No contract for the copying of the laws, joint
2 resolutions, and journals shall be made for a greater sum or rate than five cents
3 per one hundred words, actual count.

Sec. 53. HOW COPYING DONE.] The copying of the laws, joint resolutions,
2 and journals shall be done in the State capitol, under the supervision
3 of the Secretary of State; and such copies shall be carefully compared with the
4 originals in his office before being printed.

Sec. 54. LAWS AND JOURNALS.] There shall be copied for the use of the
2 Superintendent of Printing one copy of all the laws and joint resolutions passed
3 by the General Assembly and one copy of the journals of each House thereof;
4 but no reports which are required to be made to the Governor or to the General
5 Assembly shall be included in such journals.

PRINTING PAPER AND STATIONERY.

Sec. 55. STANDARDS OF QUALITY, ETC.] . The Superintendent of Printing
2 shall purchase and furnish in the manner provided by this Act all printing
3 paper and stationery for the use of the State. He shall fix standards of quality
4 for printing paper, cover paper, and other paper used in doing the State print-
5 ing, and for legal cap, foolscap, writing, manila, note, ledger, envelope, blot-
6 ting, wrapping, and other paper required by the General Assembly and the offi-
7 cers, boards, commissions, and departments of the State government; and sam-
8 ples of all such articles shall, upon application, be furnished to prospective bid-
9 ders. The Superintendent of Printing shall also provide samples of other sta-
10 tionery necessary for the use of the General Assembly and of officers, boards,
11 commissions, and departments of the State government, and shall keep the same
12 for inspection in his office, and shall, upon application, exhibit or furnish speci-
13 mens of such samples to prospective bidders. Articles furnished by the con-
14 tractor shall conform to the standards fixed by the Superintendent of Printing.

Sec. 56. CLASSIFICATION—CONTRACT PERIODS—ADVERTISEMENT.] The Superintendent of Printing may, in his discretion, divide the contract for the furnishing of printing paper and other paper and envelopes for the use of the State into as many classes as he shall deem to be for the best interests of the State, and shall let contracts separately for each class. He shall, under the direction of the Governor, let such contracts for periods of three, six, or nine months, or one year, or for such other periods, not exceeding two years, as he may deem advisable, having regard to the best interests for the State. Every advertisement for bids for necessary printing paper, cover paper, and other paper for the use of the State, whether for printing or otherwise, shall specify, as near as may be, the kinds, quality, and quantity required and shall also specify the size and weight per ream of each kind required.

Any bidder may propose to furnish any one, more than one, or all of the classes of printing paper and stationery specified in the advertisement.

Sec. 57. DELIVERY.] All printing paper purchased pursuant to this Act shall be delivered to the Superintendent of Printing or to his order, in good order, free from all and every charge or expense and subject to the inspection, count, weight, measurement, and tests of the Superintendent of Printing, whether delivered to the Superintendent of Printing at the Capitol at Springfield or to his order; the Superintendent of Printing shall charge himself with and be accountable for all paper purchased and delivered for public use; *provided, however*, if upon the order of the Superintendent of Printing, paper is delivered to any contractor and accepted by such contractor the responsibility of the Superintendent of Printing for the safe keeping of such paper so delivered and accepted shall thereupon cease and the contractor shall thereupon be held as the insurer of the safekeeping of such paper; *and, provided, further*, if upon the order of the Superintendent of Printing any paper is delivered to and accepted by any officer, board, commission, institution, or department the responsibility of the Superintendent of Printing shall thereupon

16 cease. All stationery purchased pursuant to this Act shall be delivered to the
17 Secretary of State, who shall keep a stock sufficient to supply the needs and re-
18 quirements of the State.

Sec. 58. ACCEPTANCE.] The Superintendent of Printing shall compare
2 every lot of paper delivered by any contractor with the standard of quality fixed
3 upon by him prior to receiving bids, and shall not accept any paper which does
4 not conform to the standard so fixed, in every particular. In case of difference of
5 opinion between the Superintendent of Printing and any contractor for paper
6 respecting its quality, the matter of difference shall be determined by the Gover-
7 nor, who may call to his assistance a disinterested expert, and the decision of the
8 Governor shall be final as to the State of Illinois.

Sec. 59. MAXIMUM PRICE. The maximum price of all paper mentioned in
2 section 56 of this act shall be five per centum greater than the market price of
3 such paper at wholesale in the city of Chicago at the time of making the con-
4 tract, and no contract shall be made at any higher rate.

Sec. 60. APPROPRIATIONS.] All appropriations made by the General Assem-
2 bly for printing, binding, printing paper, cover paper, and other paper and sta-
3 tionery, respectively, shall be made to the Superintendent of Printing and on
4 and after July 1, 1917, and thereafter shall be based upon estimates to be fur-
5 nished the Superintendent of Printing by each State officer, board, commission,
6 institution and department. Such appropriations shall specify, separately for
7 each office, board, commission, institution, or department, the maximum amount
8 such office, board, commission, institution, or department shall be entitled to for
9 printing, binding, printing paper, cover paper, and other paper and stationery, re-
10 spectively. No officer, board, commission, institution, or department shall be en-
11 titled to any printing, binding, printing paper, cover paper, or other paper, or
12 stationery, respectively, in excess of the amount appropriated for such respec-
13 tive purposes for each respective public authority.

Sec. 61. ADJUSTMENT OF ACCOUNTS.] The contractor for any or either class
 2 or sub-class of public printing or binding shall, respectively, deliver to the
 3 Superintendent of Printing with his respective bill for printing or for binding,
 4 as the case may be, a copy of each document or other matter charged for in his
 5 bill, except blank books and other similar work for which no duplicates are made.
 6 In his bill the contractor shall name each job printed or bound, the number of
 7 copies of each job printed or bound, the number of impressions of press work in
 8 each job, the number of ems of plain composition or of tabular work, the cost of
 9 folding, stitching, binding, and other mechanical operations, if any, the extra
 10 charges, if any, and also the kind and quantity of paper or binding, as the case
 11 may be, used in each job.

Sec. 62. VERIFICATION OF ACCOUNTS.] Every bill for work done or ma-
 2 terial furnished shall be presented to the Superintendent of Printing, who shall
 3 carefully examine and compare the same with the contract for such work or the
 4 furnishing of such materials and the vouchers and orders relating thereto. If
 5 any error is found in the account, the Superintendent of Printing shall correct
 6 the same and return the account to the contractor. If the account is found to
 7 be correct, or when it has been corrected, the Superintendent of Printing shall
 8 certify the same to the Governor for approval. Upon the approval of the bill
 9 by the Governor, the Auditor of Public Accounts shall draw his warrant for
 10 the payment thereof out of any moneys which may from time to time be ap-
 11 propriated for that purpose.

12 If any conflict of opinion shall occur between the Superintendent of Print-
 13 ing and the contractor concerning any bill for printing, the matter shall be de-
 14 termined and adjusted by the Governor, as against the State, who for that pur-
 15 pose, may call to his aid and assistance a competent expert.

Sec. 63. REPORT OF SUPERINTENDENT.] The Superintendent of Printing
 2 shall, biennially and at such other times as may be required by the Governor,
 3 report to the Governor the exact condition and the quantity and cost of all print-
 4 ing, binding, lithographing, engraving, printing and other paper, and stationery;

5 a detailed statement of all proposals and contracts entered into for doing any
6 work or furnishing materials; of all payments ordered made under his certificate
7 during the time covered by the report; of the quantity or work ordered done
8 and materials furnished, with a general classification thereof, for the General
9 Assembly and for each office, board, institution, commission, and department, and
10 a detailed statement of each account with the General Assembly and public of-
11 ficials; and such other matters connected with the administration of his de-
12 partment as may be in his possession.

Sec. 64. OFFICE AND STORE ROOM.] It shall be the duty of the appropriate
2 officer to provide the Superintendent of Printing adequate rooms in the capitol
3 building at Springfield for his necessary office.

Sec. 65. TRANSFER OF PROPERTY AND RECORDS.] All of the property, records,
2 documents, and papers in the office of the Printer Expert shall, upon the taking
3 effect of this Act, be transferred and delivered to the Superintendent of Print-
4 ing. It shall be the duty of the Secretary of State and the commissioners of
5 State contracts to deliver and surrender such property, records, documents, and
6 papers as is in his or their custody or under his or their control pertaining to
7 State contracts for printing and binding of the State. Upon the taking effect
8 of this Act all the officers and employees in the office of the Printer Expert shall
9 be and become employees under the Superintendent of Printing under the same
10 conditions as they are now employed and subject to his direction, supervision, and
11 control.

FUEL CONTRACTS.

Sec. 66. ADVERTISING FOR BIDS.] Between the first Monday in July and
2 the first Monday in August, A. D. 1916, the Secretary of State shall ad-
3 vertise at Springfield, in one of the daily papers published in that
4 city, for proposals to furnish fuel for the use of the State at the heating and
5 lighting plant at Springfield from the first day of October next ensuing until
6 the thirtieth day of June, A. D. 1917; and in the month of May, A. D. 1917,

7 and every two years thereafter, the Secretary of State shall advertise as above
 8 provided for proposals to furnish fuel for the use of the State at the heating
 9 and lighting plant at Springfield for the term of two years from the first day of
 10 July then next ensuing.

11 Contracts for fuel shall be let to the lowest responsible bidder. The Sec-
 12 retary of State, with the consent and approval of the Governor, may reject any
 13 and all bids.

Sec. 67. CONTRACTS.] Bids for furnishing fuel for the use of the State
 2 shall be publicly opened by the Secretary of State; and contracts therefor shall
 3 be publicly awarded by the Secretary of State in the presence of and subject to
 4 the approval of the Governor, and in accordance with all the provisions of
 5 this Act relating to the opening of bids and award of contracts for printing and
 6 binding, except as provided in this section. Such contracts shall be prepared
 7 and entered into by the Secretary of State, as representing the State of Illinois,
 8 and with the approval thereon in writing of the Governor, and the successful
 9 bidder.

Sec. 68. MAXIMUM PRICES.] The maximum prices for fuel shall be as fol-
 2 lows: For hickory wood, \$6 per cord; for all other kinds of wood, \$5 per cord;
 3 for coal, \$2.50 per ton.

Sec. 69. RECEIVING FUEL—ACCOUNT.] On the delivery of any fuel the
 2 Secretary of State shall examine the same as to quality and quantity; and if
 3 he finds the same to be in accordance with the contract he shall give his receipt
 4 therefor, and if it is not according to the contract shall reject it. He shall
 5 keep an account of fuel delivered to him and by him furnished to the State house
 6 and the several offices to which fuel may be furnished.

SAVINGS AND REPEAL.

Sec. 70. EXISTING CONTRACTS NOT AFFECTED.] Nothing in this Act contained
2 shall be construed to alter, abrogate, affect, or impair any contract heretofore en-
3 tered into with any State contractor by the commissioners of State contracts
4 with the approval of the Governor, but such contracts shall in all respects be
5 carried out in accordance with the law under which they were, respectively,
6 awarded. In case, however, this Act makes provision for the purchase of ma-
7 terials or the doing of work for which no contract has heretofore been award-
8 ed, then the Superintendent of Printing, or Secretary of State, as the
9 case may be, shall at once award such contracts in accordance with the provis-
10 ions of this Act.

Sec. 74. ACTS REPEALED.] The following Acts and parts of Acts are hereby
2 repealed:

3 "An Act to revise the law in relation to State contracts," approved March
4 31, 1874, in force July 1, 1874;

5 "An Act in relation to State contracts," approved May 16, 1905, in force
6 July 1, 1905.



1 Adopted May 24, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 728 by striking out lines one (1) and two (2) of section 74, and inserting in lieu thereof the following:

“The following acts and parts of acts and all laws or parts of laws which are inconsistent with this Act, or any provision thereof, are hereby repealed.

AMENDMENT NO. 2.

Amend House Bill No. 728, as printed, by striking out the word “persons” in line 16 on page 30 thereof.



1 Introduced by Mr. Lipshulch, April 16, 1915.

2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to protect the members of the Legislature in the discharge of their
duties and to preserve the integrity of their official acts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That it shall be unlawful for any person
3 or any firm or corporation, by or through a representative thereof, to per-
4 sonally solicit the support or opposition of any legislator for or to any bill or
5 resolution pending before or to be introduced in any branch of the legislature
6 at any time during the sessions thereof: *Provided,* that the provisions of this
7 Act shall not apply to persons in public office, including all State, city, county,
8 town and school offices, including instructors and teachers when acting for or in
9 behalf of public service or any part thereof: *And provided, also,* that nothing
10 contained herein shall be construed to apply to any person who appears in re-
11 sponse to a written invitation from the general assembly or either house there-
12 of, or of any duly appointed committee of either house, to urge or solicit the
13 support of or opposition to any bill or resolution.

Sec. 2. It shall be unlawful for any person or any firm or corporation by,
2 or through any agent or representative thereof, to influence or endeavor to in-
3 fluence the action of any member of the legislature to vote for or against or use

4 his influence for or against any measure pending or to be introduced in the leg-
5 islature, either by promises of reward or of future support or other thing of
6 value or by threats of opposition or of conduct detrimental or disadvantageous
7 to such member.

Sec. 3. It shall be unlawful for any person or any firm or corporation acting
2 by or through any agent or representative thereof, to publish or make any
3 public criticism of the vote, speech or action in the general assembly of a member
4 thereof: *Provided, however,* that the publication of the entire record made of
5 such vote, including the names of all who voter upon the question or of the entire
6 record made of the action or utterance of the member upon the issue shall not
7 constitute a violation of this section.

Sec. 4. Any person violating any of the provisions of this Act shall be
2 guilty of a felony and upon conviction thereof shall be fined in any sum not
3 less than one thousand (1000.00) dollars nor more than five thousand (5,000.00)
4 dollars or confined in the State penitentiary for a period not less than one year
5 nor more than five years, or by both such fine and imprisonment, in the discre-
6 tion of the court, and in case of violation by an officer or representative of a
7 firm or corporation, the fine herein provided for may be assessed against such
8 firm or the members thereof, and against such corporation or the officers and
9 directors thereof. All persons composing such firms and the officers and di-
10 rectors of such corporation may each be imprisoned as provided for herein.

Sec. 5. Whereas, in the guise of public welfare, representatives of cor-
2 porate and private interests are over-running the legislature and substantially
3 interfering with the proper discharge of the duties of members of this general
4 assembly, therefore, an emergency exists and this Act shall take effect and be
5 in force from and after its passage and approval.



- 1 Introduced by Committee on Appropriations, April 16, 1915.
- 2 Taken up, read a first time, ordered printed and to a second reading.

A BILL

For an Act for an emergency appropriation to meet a deficiency in the office ex-
penses of the Clerk of the Supreme Court.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: That the sum of three thousand three
hundred seventy-five (3,375) dollars be and the same is hereby appropriated out
of any funds in the treasury to cover a deficiency in the appropriation for the
office of the clerk of the Supreme Court as follows:

One chief clerk and cashier, Dec. 7, 1914, to July 1, 1915, \$250 per	
month	\$1,750.00
One docket clerk and bookkeeper, Dec. 7, 1914, to July 1, 1915, \$125	
per month	\$ 875.00
Office supplies, Dec. 7, 1914, to July 1, 1915	\$ 750.00
Total	\$3,375.00

Sec. 2. The Auditor of Public Accounts is hereby authorized and directed

to draw his warrants for the sums herein appropriated upon presentation of the

3 proper itemized vouchers, certified to and approved by the Chief Justice of the
4 Supreme Court, and the State Treasurer is authorized and directed to pay the
5 same out of any funds in the State Treasury not otherwise appropriated.

Sec. 3. Whereas, the demands upon the office are pressing, therefore an
2 emergency exists and this Act shall take effect from and after its passage and
3 approval.



1 Introduced by Mr. Perkins, April 21, 1915.

2 Read by title, ordered printed and referred to Committee on License and Mis-
cellany.

A BILL

For an Act to amend sections 1, 2, 3, 4 and 8 of an Act entitled, "An Act to regulate the sale and analysis of concentrated feeding stuffs," approved May 18, 1905, in force July 1, 1905, as amended by subsequent Acts.

SECTION 1. *Be it enacted by the People of the State of Illinois,*

2 *represented in the General Assembly:* That sections 1, 2, 3, 4 and 8 of an Act
3 entitled, "An Act to regulate the sale and analysis of concentrated feeding
4 stuffs," approved May 18, 1905, and in force July 1, 1905, as amended by sub-
5 sequent Acts, be and the same are hereby amended so as to read as follows:

6 Section 1. Every lot or parcel of concentrated commercial feeding stuffs,
7 as defined in section 2 of this Act, used for feeding live stock or *poultry*, sold or
8 offered or exposed for sale within this State, shall have affixed thereto, in a
9 conspicuous place on the outside thereof, a plainly printed statement in the Eng-
10 lish language clearly and truly certifying:

11 (a) The net weight of the contents of the package, lot or parcel;

12 (b) The name, brand or trade-mark;

13 (c) The name and principal address of the manufacturer, or the person or
14 *persons* responsible for placing the commodity on the market;

15 (d) The minimum per centum of crude protein; the minimum per centum
16 of crude fat; and the maximum per centum of crude fibre (to be determined by
17 the methods adopted by the Association of Official Agricultural Chemists of the
18 United States).

19 (e) The specific name of each ingredient used in its manufacture. A copy
20 of said statement shall be filed with the State Food Commissioner *during the*
21 *month of December of each year or before any concentrated commercial feeding*
22 *stuffs is offered for sale, exposed for sale or sold.*

23 If the feeding stuffs is sold in bulk, *there shall be placed in a prominent po-*
24 *sition upon the bin or other container in which such feeding stuffs is contained*
25 *a placard in large letters of not less than one-half inch in length which shall*
26 *clearly set forth the requirements contained in sub-sections b, c, d and e of this*
27 *section, so as to be easily read by customers, or if it is put up in packages belong-*
28 *ing to the purchaser, the agent or dealer shall furnish him with a certified state-*
29 *ment described in this section.*

Sec. 2. The term "concentrated commercial feeding stuffs," as used in this
2 Act, shall include cottonseed meals, linseed meals, pea meals, bean meals, peanut
3 meals, cocoanut meals, gluten meals, g'uten feeds, maize feeds, starch feeds, sugar
4 feeds, sucrene feeds and oil meals of all kinds, dried distillers' grains, *wet dis-*
5 *tillers' grains*, dried brewers' grains, *wet brewers' grains*, malt sprouts, malt re-
6 fuse, *dried beet pulp*, dried meat refuse ground meat or fish scraps, meat and
7 bone meals, *blood meals*, *tankage*, *chop* feeds, hominy feeds, cereleine feeds, rice
8 meals, *rice bran*, oat middlings, *rye bran*, *rye middlings*, *corn bran*, oat feeds,
9 corn and oat feeds, corn, oat and barley feeds, *which are not composed of the*
10 *whole and entire grains of corn, oats and barley or to which* other substances
11 have been added, *wheat middlings and wheat bran which contain screenings or*
12 *other substances*, all mixed feeds, except as otherwise provided in section 3 of

13 this Act—clover and alfalfa meals, and any mixture of any of the before men-
14 tioned substances with each other or with any other substance, condimental
15 stock and poultry feeds, medicinal stock and poultry feeds consisting of or con-
16 taining any of the substances included as concentrated commercial feeding
17 stuffs as defined in this section, patented, proprietary or trade marked stock and
18 poultry feeds and all other materials of a similar nature intended for stock or
19 poultry, not included in section 3 of this Act.

20 *That for the purpose of this Act, concentrated commercial feeding stuffs*
21 *shall be held to be of different brands, if said concentrated commercial feeding*
22 *stuffs shall differ one from the other in one or more ingredients, or if being of*
23 *similar composition said commercial feeding stuffs are sold, offered for sale or*
24 *exposed for sale under different names or brands*

Sec. 3. The term “concentrated commercial feeding stuffs,” as used in this
2 Act, shall not include *wheat flour* and other flours, hays, straws, the whole seeds
3 nor the unmixed meals made directly from *and composed of the whole and entire*
4 grains of wheat, rye, barley, oats, Indian corn, buckwheat, *Kaffir corn, Milo*
5 *Maize* and broom corn, *and not containing* other substances, neither shall it in-
6 clude *pure* wheat bran or *pure* wheat middlings not containing screenings or
7 other substances, but sold separately as distinct articles of commerce, nor *pure*
8 wheat bran and *pure* wheat middlings mixed together and not *containing* screen-
9 ings or other substances and known to the trade as “mixed feed.”

Sec. 4. Any manufacturer, importer, agent or other person or persons who
2 shall offer for sale, expose for sale, or sell any *concentrated commercial feeding*
3 *stuffs within the meaning of this Act without filing with the State Food Com-*
4 *missioner the statement required by section 1 of this Act, or any concentrated*
5 commercial feeding stuffs included in section 2 of this Act without the printed
6 statement required by section 1 of this Act, or with a label or *tag* stating that
7 the said feeding stuffs contain a larger percentage of either crude protein or
8 crude fat than is actually present therein, shall be *guilty of a misdemeanor and*

9 *upon conviction thereof shall be punished by a fine of fifty dollars (\$50.00) for*
 10 *the first offense and one hundred dollars (\$100.00) for each subsequent offense.*

Sec. 8. Each manufacturer, importer, agent or seller of any concentrated
 2 commercial feeding stuffs shall pay annually during the month of December in
 3 each year, to the treasurer of the State of Illinois, a license fee of twenty-five
 4 dollars (\$25.00) for each and every brand of concentrated commercial feeding
 5 stuffs *offered for sale, exposed for sale or sold.* Said treasurer shall in each case
 6 at once certify to the State Food Commissioner the payment of such license fee.
 7 Each manufacturer, importer, person or persons who has complied with the pro-
 8 visions of this section shall be entitled to receive a certificate from the State
 9 Food Commissioner setting forth said facts. *For violation of any of the pro-*
 10 *visions of this Act the State Food Commissioner shall have the authority to re-*
 11 *voke any such license.*

12 *It shall be unlawful to offer for sale, expose for sale or sell any concentrated*
 13 *commercial feeding stuffs, unless the manufacturer, importer, agent or seller*
 14 *shall have paid the license fee as herein provided, and whoever shall offer for*
 15 *sale, expose for sale or sell any concentrated commercial feeding stuffs without*
 16 *first securing a license as herein required, shall be guilty of a separate and dis-*
 17 *tinct misdemeanor for each and every sale made without such license, and upon*
 18 *conviction thereof shall be punished by a fine of not less than twenty-five dollars*
 19 *(\$25.00) nor more than one hundred dollars (\$100.00) or the fine may be sued for*
 20 *and recovered before any court of competent jurisdiction in the county where the*
 21 *offense shall have been committed at the instance of the State Food Commis-*
 22 *sioner or any other person in the name of the People of the State of Illinois as*
 23 *plaintiff in an action of debt: Provided, however, when the manufacturer, im-*
 24 *porter or shipper of concentrated commercial feeding stuffs shall have filed the*
 25 *statement required by section 1 of this Act and paid the license fee as pre-*
 26 *scribed in this section, no agent or seller for such manufacturer, importer or*
 27 *shipper shall be required to file such statement or pay such fee.*

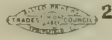
28 *In all proceedings or prosecutions brought under this section a certificate*
29 *from the treasurer of the State of Illinois, stating that the defendant has not*
30 *paid into the State Treasury the license fee required by this section, shall be*
31 *received in all courts as evidence that such license fee has not been paid.*

32 A certificate in the following form shall be sufficient:

33 I,, Treasurer of the State of Illinois, hereby
34 certify that the records of my office show that
35 has not paid the license fee on.....brand of concentrated commercial
36 feeding stuffs in December.....nor at any time since for the year of
37

38 Given under my hand and seal this.....day of.....
39
40

State Treasurer.



- 1 Introduced by Mr. Fieldstack, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to legalize certain elections held under and by virtue of "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, and in force July 1, 1895, as amended by an Act approved April 22, 1899, in force July 1, 1899, and as amended by an Act approved June 9, 1909, in force July 1, 1909.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That whenever any park district organized under and by virtue of an Act of the General Assembly of the State of Illinois entitled, "An Act to provide for the organization of park districts and the transfer of submerged lands to those bordering on navigable bodies of water," approved June 24, 1895, in force July 1, 1895, as amended by an Act approved April 22, 1899, in force July 1, 1899, and as amended by an Act approved June 9, 1909, in force July 1, 1909, a part of which said district, at the time of its said organization, was situated within the corporate limits of a city, village or incorporated town in this State, which had theretofore adopted the

11 provisions of an Act of the General Assembly of the State of Illinois entitled,
12 "An Act to amend an Act entitled, 'An Act regulating the holding of elections
13 and declaring the result thereof in cities, villages and incorporated towns in
14 this State,' " approved June 19, 1885, in force July 1, 1885; as amended by an
15 Act approved June 18, 1891, in force July 1, 1891; as amended by an Act ap-
16 proved April 24, 1899, in force July 1, 1899, known as "The City Election Law,"
17 and the election for the organization of said park district and the election of
18 the first board of commissioners thereof, has been held under the order, direction
19 and supervision of the county judge, or judges, as provided by sections 2, 3, 4
20 and 5 of said first above mentioned Act, and where said election within that part
21 of said park district lying within any city, village or incorporated town that
22 had adopted the provisions of the said city election law, herein above men-
23 tioned, was not held under the direction and supervision of the election commis-
24 sioners of said city, village or incorporated town as provided in said city elec-
25 tion law; and whenever in any such election for the organization and election of
26 commissioners under said Act as aforesaid, pasters were used by the voters and
27 single in place of separate ballots were furnished and said election has not been
28 held under and in conformity with an Act entitled, "An Act to provide for the
29 printing and distribution at the public expense and for the nomination of can-
30 didates for public office, to regulate the manner of holding election and to enforce
31 the secrecy of the ballot," approved June 22, 1891, and in force July 1, 1891, but
32 has been held in substantial compliance with the laws of this State regulating
33 elections prior to the passage of such Act; and whenever any park district has
34 been organized within the limits of any corporate city, village or town in this
35 State, whose corporate authorities had theretofore been given power to ac-
36 quire, lay out, establish, construct and maintain parks and boulevards, such
37 park districts, if legal, otherwise than as above stated, are hereby held and de-
38 clared to be duly and legally organized, and all park commissioners elected in
39 any such district or districts at such elections are hereby declared to have been

40 duly and legally elected, and all the acts of such park district or districts, and
41 of the commissioners thereof, if otherwise legal, are hereby made and declared
42 to be legal, binding and of full force and effect.

Sec. 2. Whereas, an emergency exists, therefore, this Act shall be in full
2 force and effect from and after its passage and approval.



- 1 Introduced by Mr. Gardner (by request), April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to create the office of public defender; to provide for the appointment of such offices and prescribing their duties and compensation.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
represented in the General Assembly: There is hereby created in each county in the State of Illinois having a population of 1,000,000 inhabitants or more, the office of public defender, and the person to be appointed to this office shall be known as the public defender; no person shall be eligible to the office of public defender who shall not have been a duly licensed and practicing attorney in the State of Illinois for a period of at least five years next preceding the date of his appointment.

Sec. 2. The chief justices of the courts of record (including the criminal court in Cook County) shall appoint during the month of July, at a meeting for such purpose, a qualified attorney to the office of public defender, who shall hold said office and discharge the duties thereof, as provided in this Act, for a term of four years from and after the date of said appointment and until his successor

6 shall have been duly appointed and qualified: *Provided*, that the provisions of
7 this Act shall also apply to any other county in this State not having the popula-
8 tion heretofore fixed by this Act, at the pleasure of the board of county commis-
9 sioners of said county: *And provided, further*, that said public defender may
10 be removed by the said chief justices of the various courts of record by a majority
11 vote, and by the board of county commissioners, in any county wherein this Act
12 shall have been adopted, by a four-fifths vote at any time, on the grounds of in-
13 competency, neglect of duty or dishonorable conduct after a hearing before said
14 chief justices or said board, as the case may be.

Sec. 3. The compensation of said public defender shall be paid in the same
2 manner as other county officials are paid and said compensation shall be in full
3 for all services rendered except actual and necessary traveling expenses when en-
4 gaged in the discharge and performance of his official duties and which expenses
5 shall be audited and paid, as are other claims against said county. The com-
6 pensation of the public defender shall be six thousand dollars per annum in coun-
7 ties where the population is one million or over and in all other counties such
8 salary shall be fixed by the Board of County Commissioners: *Provided, however*,
9 that the public defender in counties of one million population or over shall de-
10 vote all of his time to the duties of his office.

Sec. 4. The public defender shall defend without expense to such defend-
2 ant, any person who is not financially able to employ counsel, who is charged
3 in any court of record of the State, with the commission of any contempt, mis-
4 demeanor, felony or other offense. He shall also, upon request, give counsel and
5 advice to any person against whom any such charge is brought and shall con-
6 duct his defense with all the skill and ability at his command, and in such a
7 manner as to secure justice for such accused, having due regard to his duty to
8 his client and to the State of Illinois, and he shall prosecute all appeals and writs
9 of error to a higher court or courts, of any such person who has been convicted
10 upon any such charges where, in his opinion, and so certifying to the court, such

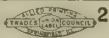
11 appeal will or might reasonably be expected to result in a reversal or modifica-
12 tion of the judgment of conviction. He shall also, upon request, prosecute actions
13 for the collection of wages, or claims for labor of persons who are not financially
14 able to employ counsel, in cases where the sum involved does not exceed fifty
15 dollars, and in which, in the judgment of the public defender, the claims urged
16 are valid and enforceable in the courts. He shall also, upon request, defend
17 persons in all civil litigation in which, in his judgment, they are being perse-
18 cuted or unjustly harassed, and who have not the financial ability to employ
19 counsel: Providing, in any suit wherein the law provides for attorney's fees any
20 and all such moneys so allowed shall be paid to the county treasurer.

Sec. 5. The board of county commissioners of each of the counties in which
2 the office of public defender is hereby created (or hereafter adopted) shall pro-
3 vide suitable rooms for the use of the public defender and office furniture and
4 supplies with which to properly conduct the business of this office and upon an
5 order of the several chief justices of the courts of record within the county, pro-
6 vide for a sufficient number of deputies, clerks, employees and investigators and
7 shall fix the salaries thereof. All appointments of deputies, clerks or other em-
8 ployees in the office of the public defender shall be made in writing by the public
9 defender and filed with the county clerk and may be revoked by a writing sim-
10 ilarly filed.

Sec. 6. Said public defender shall keep a record of all services rendered by
2 him in such capacity and shall file with the board of county commissioners and
3 the chief justices of the various courts of record, once a month during his term
4 of office, a written report of said services.

Sec. 7. The chief justices of the various courts of record shall cause to be
2 formulated and spread, a record in their respective courts, such rules as may be
3 necessary to give force and effect to the provisions of this Act.

Sec. 8. All Acts or parts of Acts in conflict with the provisions of this
2 Act are hereby repealed.



- 1 Introduced by Mr. Hamlin, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department and Practice.

A BILL

For an Act to amend an Act entitled, "An Act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties," approved June 15, 1887, in force July 1, 1887, as amended by Act approved June 9, 1897, in force July 1, 1897, an Act approved and in force April 24, 1899, by amending sections one (1), two (2), three (3), four (4), five (5) and six (6), and by adding thereto two new sections to be numbered four "a" (4-a) and four "b" (4-b).

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to authorize judges of courts of record to appoint jury commissioners and prescribing their powers and duties," approved June 15, 1887, in force July 1, 1887, as amended by Act approved June 9, 1897, and in force July 1, 1897, and Act approved and in force April 24, 1899, be and the same is hereby amended by amending sections one (1), two (2), three (3), four (4), five (5), and six (6) and

8 by adding thereto two new sections to be known as sections four "a" (4-a), and
9 four "b" (4-b), all of which shall be read as follows, to-wit:

10 Sec. 1. In every county of this State now containing, or which may here-
11 after contain more than two hundred and fifty thousand (250,000) inhabitants,
12 the judges of the several courts of record of such county, or a majority of them,
13 shall choose three competent and discreet electors, who shall not be so chosen
14 on account of party affiliation, who shall be known as jury commissioners. Such
15 commissioners shall, in counties now containing the required number of inhabi-
16 tants, be chosen on the first Monday of July, 1897, and in counties hereafter con-
17 taining the required number of inhabitants such commissioners shall be so chosen
18 on the first Monday of July, after it shall have been determined by the last pre-
19 ceding national census that the inhabitants of such county are of the number re-
20 quired. Of the first three so chosen one shall hold his office for one year, one for
21 two years, and one for three years, to be determined by lot, and every year
22 thereafter one such officer shall be chosen for the term of three years. Each of
23 such commissioners, before entering upon the duties of his office, shall take and
24 subscribe to an oath of office before one of such judges, and shall execute a bond
25 to the People of the State of Illinois in such sums and with such sureties as shall
26 be required by such judge and be, by him, approved, conditioned for the faithful
27 discharge of his duties as such commissioner during his term of office. The ma-
28 jority of the judges of such county may remove either of such commissioners,
29 assigning reasons therefor, and fill all vacancies occurring in the office of any such
30 commissioners by death, resignation or removal.

 Sec. 2. *The said commisisoners shall from information derived from gen-
2 eral directories or registration lists or both, procure the names of persons who
3 appear qualified to serve as jurors, and the name of each with his place of resi-
4 dence, giving street and number, if any, together with his age and occupation,
5 when ascertained, shall be entered and kept in a book or books, or in other per-
6 manent form, and such names so entered and kept shall be known as the jury*

7 *list, which may be revised, amended, or added to as often and in such way as*
8 *deemed advisable to preserve a list of eligible jurors, said list to consist of not*
9 *less than ten per cent of the electors of said county as shown by the aggregate*
10 *vote in said county at the last preceding Presidential election, and shall be made*
11 *up of residents of different parts of the county, and of different occupations.*

Sec. 3. The said commissioners are empowered to provide a suitable room
2 or rooms in which to transact their business, and to incur all other necessary
3 expenses which shall be paid by warrants drawn as provided in section 6 of
4 this Act, and with the approval of said judges or a majority thereof to appoint
5 a clerk and the requisite number of assistants. The clerk, *or an assistant*, if
6 there be one, shall be on duty at the room or rooms of said commissioners each
7 day during the session of court; if there be no clerk, *or assistant*, then one, at
8 least, of said commissioners shall, in like manner, be present, if so ordered by the
9 court. The said commissioners shall have power, with the approval of the said
10 judges or a majority thereof, to appoint a competent elector in each voting pre-
11 cinct or district, who shall be known as deputy jury commissioner, and whose
12 duty it shall be to furnish said jury commissioners, from time to time, as re-
13 quired, a list of the qualified electors residing in said voting precinct or district,
14 and such other information as may be required by said jury commissioners.
15 The said jury commissioners shall also have power to summons electors to ap-
16 pear before them and to examine them, touching their qualifications for jury
17 service; and each of said commissioners and their clerk and assistants provided
18 for in this Act are hereby empowered to administer all oaths or affirmations
19 required in the discharge of their official duties. Any circuit court of this State,
20 in any county where this law is in force, or any judge thereof, either in term time
21 or vacation, upon application of any such jury commissioner may, in the discre-
22 tion of the court, compel the attendance of electors and the giving of testimony
23 before the said jury commissioners, by attachment for contempt or otherwise, in
24 the same manner as the production of evidence may be compelled before said

25 court. Every person who, having taken an oath or made affirmation as herein
26 provided, shall swear or affirm wilfully, corruptly and falsely, shall be guilty of
27 perjury, and upon conviction shall be punished accordingly.

Sec. 4. *The said commissioners shall, as may be required, select from said*
2 *jury list the names of those only whom, in their examination or investigations,*
3 *they shall previously have found to possess the legal qualifications for jury duty,*
4 *and such names shall each be written on a separate card with the person's age*
5 *and place of residence as entered on said list, and be placed in the proper jury*
6 *box herein provided for. Selections shall be made of residents of different parts*
7 *of the county and of different occupations.*

Sec. 4-a. *For the cards of those selected for grand jurors there shall be one*
2 *box, to be known as the grand jury box, and for the cards of those selected for*
3 *trial jurors there shall be one box to be known as the main jury box, and as many*
4 *other boxes (all provided with locks), as there are terms of court during the*
5 *year in said county, which shall be designated, according to said terms, and when*
6 *an elector is examined as to his qualifications for jury service he may designate*
7 *any four or more terms (or months) of the year in which it will be most con-*
8 *venient for him to serve and said commissioners shall place the card with his*
9 *name in the box kept for one of such terms (unless he shall be selected for grand*
10 *jury service) or if such box contains an undue proportion of cards, the commis-*
11 *sioners may place it in any other box, recognizing the elector's expressed pref-*
12 *erence as aforesaid when practicable, and the cards of those expressing no choice*
13 *as to their time of service shall be placed in the main jury box or grand jury*
14 *box and in the drawing of trial jurors for any term, the drawing shall first be*
15 *from the box kept for said term but in no case exceeding one-half of the number*
16 *required, then the remainder necessary shall be drawn from the main jury box;*
17 *and if not exhausted the cards left therein shall remain therein for the next*
18 *drawing therefrom, or may, in the discretion of the commissioners, at the end*
19 *of the term, be placed in the main or some other term box, recognizing the*

20 elector's previously expressed preference, when practicable: Provided, how-
21 ever, that if the drawing for the several courts for any term are likely to ex-
22 haust the names in the box for that term, then the cards shall be drawn there-
23 from proportionately for the several courts as near as may be to their require-
24 ments. But no record shall be made to indicate into which box, kept for trial
25 jurors, any name has been placed, and no information thereon shall be given
26 out by the commissioners or any of their employees.

Sec. 4-b. One or more of the judges of any court of record in said county
2 shall certify to the clerk of the court the number of jurors required at each term.
3 The said clerk shall then repair to the office of the jury commissioners and in
4 the presence of at least one of said commisisoners and the clerk of said com-
5 missiners, if there be one, or in the absence of said clerk, then in the presence
6 of at least two of said commissioners, proceed to draw at random from said jury
7 box or boxes as aforesaid, after the same shall have been well shaken the necessary
8 number of names, shall certify the same to the sheriff to be by him summoned
9 according to law. If more jurors are needed during such term of court the
10 court shall so certify, and they shall be drawn and summoned as above provided
11 forthwith: Provided, that it shall be the duty of said jury commissioners to
12 have and maintain at all times in said main box and the box for any term, for
13 which the drawing is made not less than ten thousand names in the aggregate,
14 and in said grand jury box not less than five hundred names.

Sec. 5. Whenever a grand jury shall be required by law or by order of the
2 court, it shall be drawn from the grand jury box and summoned in like manner
3 as provided in the last section. At the end of each term of court the said jury
4 commissioners shall ascertain the names of all persons who have served and all
5 persons who have been excused as jurors during said term, and the names of
6 such as have served shall be then checked off from the said jury list and shall not
7 be selected for jury service so long as it is practicable to select other qualified

8 persons who have not served as jurors and the names of all who have been ex-
 9 cused and who possess the qualifications for jury service, shall be again placed
 10 in a jury box, the person's previously expressed preference or then expressed
 11 preference of four or more terms as aforesaid to be recognized by said commis-
 12 sioners as far as practicable.

13 Inasmuch as an annual audit or reconciliation of the jury cards with the
 14 records is essential, and also to note all changes of residence on the jury cards,
 15 such audit shall be made in the interval between the usual term drawings, and
 16 in the event of additional jurors being required for any court while such audit
 17 is pending and the jury cards are not in the jury boxes at the time, such draw-
 18 ing from all the cards may be made in the presence and under the supervision
 19 of the presiding judge of said court.

20 No exception, objection or challenge to any juror, grand juror or any panel
 21 of jurors shall be allowed at any time because of any failure to comply with the
 22 provisions of this Act, unless the party raising the same shall show to the court
 23 that actual and substantial injustice has been done or will be done him because of
 24 the error or defect charged.

Sec. 6. The said jury commissioners, deputy jury commissioners, clerk and
 2 assistants shall be paid for their services by the county treasurer of the several
 3 counties, such compensation as shall be fixed by the county board, upon warrants
 4 drawn by the clerk of the county board. The said jury commissioners shall be
 5 allowed a reasonable sum every year for stationery and office expenses other than
 6 salaries, which shall be paid in like manner: *Provided, however,* that the com-
 7 pensation of any such commissioners shall not exceed *twenty-four* hundred dol-
 8 lars per annum; and that the compensation of any such clerk shall not exceed
 9 two thousand dollars per annum; and of any assistant or assistants shall not
 10 exceed *fifteen* hundred dollars per annum, and that the compensation of deputy
 11 jury commissioners shall not exceed the sum of three cents in any one year for
 12 full information about each elector.

13 *And, provided, further,* that the said judges, or a majority of them, shall
14 prescribe the number of assistants to be employed by said jury commissioners.

15 WHEREAS, Emergency exists; therefore, this Act shall take effect and be in
16 full force after its passage and approval by the Governor.



1 Introduced by Mr. Conlon, April 21, 1915.

2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act authorizing “the commissioners of Lincoln Park” to issue bonds, and
providing for the payment thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That “the commissioners of Lincoln
3 Park,” of the county of Cook, are hereby authorized to from time to time issue
4 bonds not exceeding the total amount of one million dollars, for the purpose of
5 enlarging and improving Lincoln Park, and the completion of work already
6 begun.

Sec. 2. Whenever “the commissioners of Lincoln Park” desire to issue any
2 of the bonds authorized by section one (1) of this Act, they shall pass an ordi-
3 nance fixing the amount of the bonds proposed to be issued, the rate of interest
4 and the maturity. Said ordinance shall then be published in a newspaper of
5 general circulation in the county of Cook, and be posted in five public places in
6 each town included in the park district.

Sec. 3. After the passage of the ordinance prescribed in section two (2) of this Act, "the commissioners of Lincoln Park" shall order an election, at which shall be submitted to the legal voters of the towns included in said Lincoln Park district, the question of issuing bonds, and shall fix the polling places at which said election shall be held, and shall select the judges and clerks therefor.

Sec. 4. The notice of said election shall state the amount of bonds to be issued and the purpose thereof and the said notice shall be posted in at least ten (10) public places in said district at least ten (10) days prior to the election, and such notice shall be published in a newspaper having a general circulation in said district for three (3) successive days, the first publication to be made at least ten (10) days prior to the date of election, the election may be held on the same day and at the same places as any general or special election.

Sec. 5. The ballots at the election hereby authorized shall be a separate ballot and in substantially the following form:

OFFICIAL BALLOT

Instructions to Voters: To cast a ballot in favor of the proposition submitted upon the ballot, place a cross (X) mark in the square opposite the word "Yes". To vote against the proposition submitted upon this ballot, place a cross (X) mark opposite the word "No".

Shall the following be adopted:

Proposition to issue bonds of Lincoln Park to the amount of..... .....dollars for the purpose of enlarging and improving Lincoln Park and for the completion of work already begun.	Yes
	No

Sec. 6. In case a majority of the votes cast upon the proposition shall be in favor thereof "the commissioners of Lincoln Park" may proceed, from time to time, to issue and sell the said bonds, in denominations of one hundred (\$100) dollars or any multiple thereof, payable in not exceeding twenty (20) annual installments, said bonds to bear interest at the rate of not more than five (5) per

6 centum per annum, evidenced by interest and coupons payable semi-annually.
7 Nothing herein contained shall be construed to authorize the contracting of an
8 indebtedness in excess of five (5) per centum of the valuation of the taxable
9 property in said district as assessed for State and county purposes.

Sec. 7. Said bonds before being delivered to the purchaser shall be registered in the office of the Auditor of Public Accounts of the State of Illinois, on payment of the usual fees and said Auditor shall certify on each bond the fact of such registration. In order to provide for the payment of the principal and interest of the bonds so registered, it is hereby made the duty of the said Auditor to annually cause to be levied and collected a direct ad valorem tax upon all the taxable property in the district or territory now subject to taxation for the maintenance of said Lincoln Park sufficient in amount to pay the bonds and interest maturing during the next ensuing year. The said taxes when collected shall be received by the State Treasurer and be disbursed by him in payment of said bonds and the interest thereon, rendering any surplus to the treasurer of said "the commissioners of Lincoln Park."

Sec. 8. WHEREAS, an emergency exists, therefore, this Act shall take effect
2 and be in force from and after its passage.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 735

1915



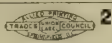
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1 Adopted May 6, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 735, by changing the word and figure 5 in line 5 sec-

2 tion 6 to the word and figure 4.



1 Introduced by Mr. Ellis, April 21, 1915.

2 Read by title, ordered printed and referred to Committee on Revenue.

A BILL

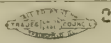
For an Act to amend an Act entitled, "An Act for the assessment of property and providing the means thereof, and to repeal a certain Act therein named," approved February 25, 1898, in force July 1, 1898, and all Acts amendatory thereto, by amending section nine (9) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act for the
3 assessment of property and providing the means thereof, and to repeal a certain
4 Act therein named," approved February 25, 1898, in force July 1, 1898, and all
5 Acts amendatory thereto, be, and the same is hereby amended by amending sec-
6 tion nine (9) thereof, so that said section nine (9) when amended, will read as
7 follows:

Sec. 9. All real property, subject to taxation under the general revenue
2 laws of the State, including real estate becoming taxable for the first time,
3 shall be listed in the name of the owner thereof by such owners or persons re-
4 quired by law, or their agents of the officers provided by law, and assessed for

5 the year one thousand eight hundred ninety-nine (1899) and every fourth year
6 thereafter, with reference to the amount owned on the first day of April in
7 the year in which the same is assessed, including all property purchased on that
8 day, which assessment shall be known as the general assessment, and as modi-
9 fied or equalized or changed as provided by law shall be the assessment upon
10 which taxes shall be levied and extended during the quadrennial period for which
11 the same is made: *Provided*, that no assessment of real property shall be con-
12 sidered as illegal by reason of the same not being listed or assessed in the
13 name of the owner or owners thereof.

14 *Provided that where taxes are assessed for any year on any mortgage or*
15 *other lien on any real estate, the fair market value of such mortgage or other*
16 *lien shall, for that year be deducted from the total value of such real estate as*
17 *fixed under this Act, and the remainder of the value of such real estate shall be*
18 *the amount to be used as a basis for taxing said real estate for said year. In all*
19 *other respects said real estate mortgage or other lien thereon shall be listed for*
20 *taxation and taxes levied, assessed and collected thereon as provided in this Act.*



- 1 Introduced by Mr. Watson, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to amend an Act entitled, "An Act in regard to garnishment," approved March 9, 1872, in force July 1, 1872, as subsequently amended by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act in regard to garnishment," approved March 9, 1872, in force July 1, 1872, as subsequently amended be and the same is hereby amended by amending section one (1) thereof so that the said section when amended shall read as follows:

6 Sec. 1. That whenever a judgment shall be rendered by any court of record, or any justice of the peace in this State, and an execution against the defendant in such judgment shall be returned by the proper officer "No property found," on the affidavit, of the plaintiff, or other credible person, being filed with the clerk of such court or justice of the peace, that said defendant has no property within the knowledge of such affiant, in his possession, liable to execution, and that such affiant hath just reason to believe that any other person is in-

13 debted to such defendant, or hath any effects or estate of such defendant in his
14 possession, custody or charge, it shall be lawful for such clerk or justice of the
15 peace to issue a summons against the person supposed to be indebted to, or sup-
16 posed to have any of the effects or estate of the said defendant, commanding
17 him to appear before said court or justice, as a garnishee; and said court or
18 justice of the peace shall examine and proceed against such garnishee or gar-
19 nishees, in the same manner as is required by law against garnishees in orig-
20 inal attachments.

21 *It shall be lawful to summon administrators and executors as garnishees, and*
22 *they may be garnished with respect to any moneys, goods, chattels, lands, tene-*
23 *ments or other estates belonging to any devisee or legatee under any will, or*
24 *belonging to any heir or distributee of any estate; but no final judgment shall be*
25 *rendered against such administrator or executor until after an order of distribu-*
26 *tion has been made by the county court out of which his letters testamentary or*
27 *of administration issued.*

28 *No assignment, transfer or other disposition by an heir, legatee or de-*
29 *vissee, of his distributive share, legacy or devise in the hands of any administra-*
30 *tor or executor shall operate to defeat the garnishment of the same unless the*
31 *said assignment, transfer or other disposition is reduced to writing and filed in*
32 *the office of the county court out of which such letters testamentary or of ad-*
33 *ministration were issued before the service of process of garnishment upon*
34 *such administrator or executor.*



- 1 Introduced by Mr. Watson (by request), April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to define license and regulate farm loan brokers, to limit the loans to be made by such brokers and the interest and other charges to be exacted upon loans made by them.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That upon application to the Auditor of
3 Public Accounts in the manner provided for the application for a charter under
4 the general incorporation Act, corporations may be formed for the purpose of
5 loaning or advancing funds upon the security of farm lands or the products
6 thereof, or upon live stock, grain or hay, farm implements, vehicles or other
7 farm property, including fruit, dairy and garden, and all other farms, and all
8 property and products thereof.

Sec. 2. Every application for a license to organize a corporation to make
2 farm loans or advances as provided herein must be made in writing and contain
3 the full names and addresses of not less than three (3) persons who propose
4 to become stockholders thereof and the county, city and particular location

5 where such business is to be conducted. Every farm loan corporation shall pay
6 to the Auditor of Public Accounts an annual license fee of twenty-five dollars
7 (\$25.00) to be collected by the Auditor of Public Accounts at the time said
8 license is issued and shall also file with the Auditor of Public Accounts a bond
9 in the sum of five thousand dollars (\$5,000.00) with sureties approved by the
10 Auditor of Public Accounts, conditioned for the faithful observance of the
11 provisions of this Act and the Auditor of Public Accounts shall cause such
12 license to be recorded in the office of the recorder of deeds in the county in
13 which such business is to be conducted. All licenses issued hereunder shall ex-
14 pire on the 31st day of December of each year. All licenses granted here-
15 under shall at all times be kept publicly exposed at the licensee's place of
16 business.

Sec. 3. Such farm loan broker after having procured a license, as herein-
2 before provided, may charge, receive or collect interest at a rate not exceeding
3 three per cent a month upon loans and advances falling within the scope of
4 business as set forth in section one (1) hereof, such interest shall not be paid
5 in advance and shall be computed on unpaid balances only. Every such
6 licensee shall furnish the borrower at the time the loan is made, a statement in
7 the English language showing in clear and distinct terms the amount of the
8 loan and the date when loaned and when due; the person to whom the loan
9 was made, the name of the lender and the amount and rate of interest charged.
10 On the back of such statement there shall be printed a copy of section 3 of
11 this Act. The lender shall give the borrower a plain and complete receipt
12 for all payments made on account of the loan at the time such payments are
13 made.

Sec. 4. No licensed farm loan broker shall loan more than one thousand
2 (\$1,000) dollars to any one person, nor shall any person owe to any such
3 licensed farm loan broker more than one thousand (\$1,000) dollars principal
4 at any one time, nor shall any such loan be made for a term to exceed six (6)

5 months or renewed for a period in excess of three (3) months: *Provided*, that this Act shall not apply to mortgages given to secure any part of the purchase price of farm lands, machinery or equipment sold on deferred payments.

Sec. 5. No further or other charge, either for insuring or examining the security or property, or for drawing papers, or for commissions, attorney's fees or renewals or extensions of loans or for any services upon any pretext whatsoever, beyond the aforesaid charges for interest shall be asked, charged or in any way received where the same would make a greater charge for the money advanced than is provided in section three (3) of this Act, and when made, all such charges shall be considered and be a violation of this Act: *Provided*, that the borrower may be required to pay the fees or charges actually expended for recording any instrument hereunder.

Sec. 6. The Auditor of Public Accounts shall either personally or by such person or persons as he may appoint for the purpose, at least once a year or oftener if he deems it advisable, investigate the business and affairs of every such licensee and for that purpose shall have free access to the vaults, books and papers thereof and other sources of information with regard to the business of such licensee and shall ascertain the condition of the business, whether it has been transacted in accordance with law and with such rules and regulations as may be prescribed by the Auditor of Public Accounts, pursuant to this Act. Said Auditor of Public Accounts and any examiner appointed by him shall have authority to examine under oath or affirmation, any person whose testimony relative to the business of such licensee may be required in such examination. The cost of every such examination shall be paid by the licensee so examined and said Auditor of Public Accounts may maintain action for the recovery of such costs in any court of competent jurisdiction. All licensees hereunder shall, annually, on or before the thirty-first day of January of each year submit a report to the Auditor of Public Accounts in the form of a

17 trial balance of their books at the close of their business on the thirty-first
18 day of December, last preceding, and shall specify the different amounts of
19 liabilities and the different amounts of assets, together with such other infor-
20 mation as may be required by the State Auditor of Public Accounts in ac-
21 cordance with the blank forms to be furnished by him.

Sec. 7. Any violation of the provisions of this Act by any farm loan
2 broker licensed hereunder, shall be a misdemeanor and punishable by a fine
3 of one hundred (\$100) dollars for each offense and the entire amount of the
4 loan shall be forfeited to the borrower and upon conviction thereof, the license
5 of such farm loan broker shall be revoked by the Auditor of Public Accounts,
6 granting the same, or his successor in office, and any unlicensed or unauthor-
7 ized person, firm or corporation exercising any of the privileges granted by
8 this Act shall be guilty of a misdemeanor and punishable by a fine of \$100.00
9 for each offense and the amount of any loan by any such offender shall be for-
10 feited to the borrower.



- 1 Introduced by Mr. Watson, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judicial Department
and Practice.

A BILL

For an Act to amend an Act entitled, "An Act to extend the jurisdiction of county courts, and to provide for the practice thereof, to fix the time for holding the same, and to repeal an Act therein named," approved March 26, 1874, in force July 1, 1874, as amended by subsequent Acts, by amending section twenty-five (25) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to extend
3 the jurisdiction of county courts, and to provide for the practice thereof, to fix
4 the time for holding the same, and to repeal an Act therein named," approved
5 March 26, 1874, in force July 1, 1874, as amended by subsequent Acts, be, and the
6 same is hereby amended by amending section twenty-five (25) thereof, so that
7 said section when amended shall read as follows:

Sec. 25. Crawford, April and November.

AMENDMENTS TO

49th G. A.

HOUSE BILL No. 739

1915

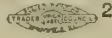


1 Adopted May 6, 1915.

AMENDMENT NO. 1.

Amend House Bill No. 729, by striking out the word "November" in section

2 25 of the printed bill and inserting in lieu thereof the word "October."



1 Introduced by Mr. McCabe, April 21, 1915.

2 Read by title, ordered printed and referred to Committee on Education.

A BILL

For an Act to amend section 115 of an Act entitled, "An Act to Establish and Maintain a System of Free Schools, approved and in force June 12, 1909."

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 115 of an Act entitled, "An
3 Act to establish and maintain a system of free schools, approved and in force
4 June 12, 1909," be amended so as to read as follows:

5 Sec. 115. The board of school directors shall be clothed with the following
5½ powers:

6 First—To purchase a suitable book for their records.

7 Second—To allow the clerk a reasonable compensation for his services,
8 payable out of money not otherwise appropriated.

9 Third—To dismiss a teacher for incompetency, cruelty, negligence, immor-
10 ality or other sufficient cause.

11 Fourth—To assign pupils to the several schools in the district; to admit non-
12 resident pupils when it can be done without prejudice to the rights of resident
13 pupils; to fix rates of tuition, and to collect and pay the same to the township
14 treasurer for the use of the district.

15 Fifth—To suspend or expel pupils guilty of gross disobedience or miscon-
 16 duct, and no action shall lie against them for such expulsion or suspension.

17 Sixth—To provide that children under twelve years of age shall not be
 18 kept in school more than four hours daily.

19 Seventh—To appropriate school funds for the purchase of libraries and ap-
 20 paratus, after the provision has been made for the payment of all necessary
 21 school expenses.

22 Eighth—To sell at public or private sale any personal property belonging
 23 to the school district, and not needed for school purposes.

24 Ninth—To grant special holidays whenever in their judgment such action
 25 is advisable, but no deduction shall be made from the time or compensation of
 26 a teacher on account of such days.

27 Tenth—To have the control and supervision of all public school houses in
 28 their district, and to grant the temporary use of them, when not occupied by
 29 schools, for religious meetings and Sunday schools, for evening schools and lit-
 30 erary societies, and for such other meetings as the directors may deem proper.
 31 *To grant the use of assembly halls and class rooms when not otherwise needed,*
 32 *including light, heat and attendants, for public lectures, concerts, and other edu-*
 33 *cational and social interests, free of cost, but under such provisions and control*
 34 *as they may see fit to impose, to conduct or provide for the conducting of rec-*
 35 *reational, social and civic activities in the school buildings under their control*
 36 *and to pay for services in connection with such conducting out of the school*
 37 *funds of their respective cities, towns or districts.*

38 Eleventh—To decide when a site or building has become unnecessary, un-
 39 suitable or inconvenient for a school.

40 Twelfth—To borrow money, and issue bonds for the purposes and in the
 41 manner provided by this Act.

42 Thirteenth—To furnish each school with a flag and staff, as provided
 43 by law.

44 Fourteenth—To establish classes having an average attendance of not
45 fewer than fifteen pupils for the instruction of crippled children over the age
46 of six and under twenty-one years.

47 Fifteenth—To establish classes for the instruction of deaf children over the
48 age of three and under twenty-one years: *Provided, however,* that no person
49 shall be employed to teach the deaf who shall not have received instruction in
50 the methods of teaching the deaf for a term of not less than one year.

51 Sixteenth—To establish kindergartens for the instruction of children be-
52 tween the age of four and six years, when authorized by a majority of the votes
53 cast at an election held for that purpose under the provisions of section 198 of
54 this Act: *Provided, however,* that the tuition or other expenses of such kinder-
55 garten shall be defrayed from the local tax and from the special school revenue
56 of the district: *And, provided, further,* that no one shall be employed to teach
57 in a kindergarten who does not hold a certificate issued as provided by law cer-
58 tifying that the holder has been examined upon kindergarten principles and is
59 competent to teach the same.



- 1 Introduced by Mr. O'Rourke, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Municipalities.

A BILL

For an Act to amend section 32 of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That section 32 of an Act entitled, "An
3 Act concerning local improvements, approved June 14, 1897, in force July 1,
4 1897," be and the same is hereby amended so as to read as follows:

Sec. 32. PROCEEDING PENDING APPEAL.] Upon the return of a verdict in a
2 proceeding to acquire property for a public improvement, if no motion for a
3 new trial be made, or if made, then if overruled, the petitioner shall within ninety
4 days after final *verdict* as to all defendants, both as to the amount of damages
5 and compensation to be awarded and benefits to be assessed, elect whether it
6 will dismiss said proceeding or enter judgment on said verdict. *In case the*
7 *petitioner shall dismiss said petition then the court or judge, before whom*
8 *the proceeding is pending, shall, upon application of the defendant or defend-*
9 *ants to said petition or either of them, make such order in such cause for the*

10 *payment by the petitioner of all costs, expenses, witness fees and reasonable*
11 *attorney fees of such defendant or defendants paid or incurred by such defend-*
12 *ant or defendants in defense of said petition, as upon the hearing of such ap-*
13 *plication shall be right and just, and also for the payment of the taxable costs*
14 *If the petitioner shall elect to enter judgment, it shall become thereby bound*
15 *and liable to pay the amount thereof, whether such assessment be collected or*
16 *not, and such judgement or condemnation shall not be conditional. Petitioner*
17 *shall not thereafter be permitted to withdraw from such proceeding, or to dismiss*
18 *the same, without the consent of all parties whose land is thereby condemned,*
19 *except as hereinafter provided. In case an appeal or writ of error be taken by*
20 *either party from the judgment of condemnation or confirmation, no step shall*
21 *be taken to collect the assessment, nor to compel payment of the compensation*
22 *awarded, until said appeal or writ of error be disposed of and final judgment en-*
23 *tered in the cause; or in case of reversal, until a new trial and judgment.*



1 Introduced by Mr. Taylor, April 21, 1915.

2 Read by title, ordered printed and referred to Committee on Elections.

A BILL

For an Act to amend an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as subsequently amended by amending section one (1) thereof.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly:* That an Act entitled, "An Act to provide for the holding of primary elections by political parties," approved March 9, 1910, in force July 1, 1910, as subsequently amended by amending section one (1) thereof so that said section one (1) when amended shall read as follows:

6 Sec. 1. The nomination of all candidates for all elective State, congressional,
7 county, city and village *when the population of such city or village exceeds one*
8 *thousand (1,000)* (including officers of the municipal court of Chicago),
9 town and judicial officers, members of the State Board of Equalization,
10 clerks of the appellate courts, trustees of sanitary districts, township officers
11 in townships co-extensive with cities, incorporated towns or villages, and for the

12 election of precinct, ward and State central committeemen, and delegates and
13 alternate delegates to National nominating conventions, by all political parties,
14 as defined by section two (2) of this Act, shall be made in the manner provided
15 in this Act and not otherwise: *Provided*, this Act shall not apply to the nom-
16 ination of candidates for electors of President and Vice President of the United
17 States and trustees of the University of Illinois: *And, provided, further*, that
18 this Act shall not apply to school elections and township elections other than in
19 townships co-extensive with cities, incorporated towns or villages. The words
20 "township officers" or "township offices" shall be construed when used in this
21 Act to include supervisors, and assistant supervisors.



- 1 Introduced by Mr. Taylor, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Roads and Bridges.

A BILL

For an Act to amend an Act entitled, "An Act to revise the law in relation to roads and bridges," approved June 27, 1913, in force July 1, 1913, by adding a new section thereto.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That an Act entitled, "An Act to revise
3 the law in relation to roads and bridges," approved June 27, 1913, in force July
4 1, 1913, be and the same is hereby amended by adding a new section after
5 section 152 to be known as section 152a, which said section shall read as follows:

6 Sec. 152a. *It shall be unlawful for any person to haul over any turnpike,*
7 *gravel or macadam road at any time when the road is thawing through, or by*
8 *reason of wet weather it is in condition to be cut up and injured by heavy haul-*
9 *ing, a load on any vehicle with tires less than three inches in width, the com-*
10 *bined weight of which load and vehicle, including driver, shall be more than*
11 *twenty-five hundred (2,500) pounds, or on any vehicle with tires of three inches*
12 *and less than four inches in width, the combined weight of which load, vehicle*

13 and driver shall be more than three thousand (3,000) pounds; or any vehicle with
14 tires of four inches and less than five inches in width, the combined weight of
15 which load, vehicle and driver shall be more than thirty-five hundred (3,500)
16 pounds; or on any vehicle with tires five inches or over in width, the combined
17 weight of which load, vehicle and driver shall be more than forty-five hundred
18 (4,500) pounds.

19 Any person violating any provisions of section (152a) of this Act shall, on
20 conviction, be fined not less than five (5.00) dollars, nor more than fifty (50.00)
21 dollars for each load so hauled.

22 Any road supervisor, road superintendent or constable shall have police power
23 to arrest on sight any person who is seen violating this ordinance, and on convic-
24 tion of the defendant in such cause there shall be assessed by the court trying
25 the same a fee of two (2.00) dollars in each case, to be paid to the person making
26 the arrest.



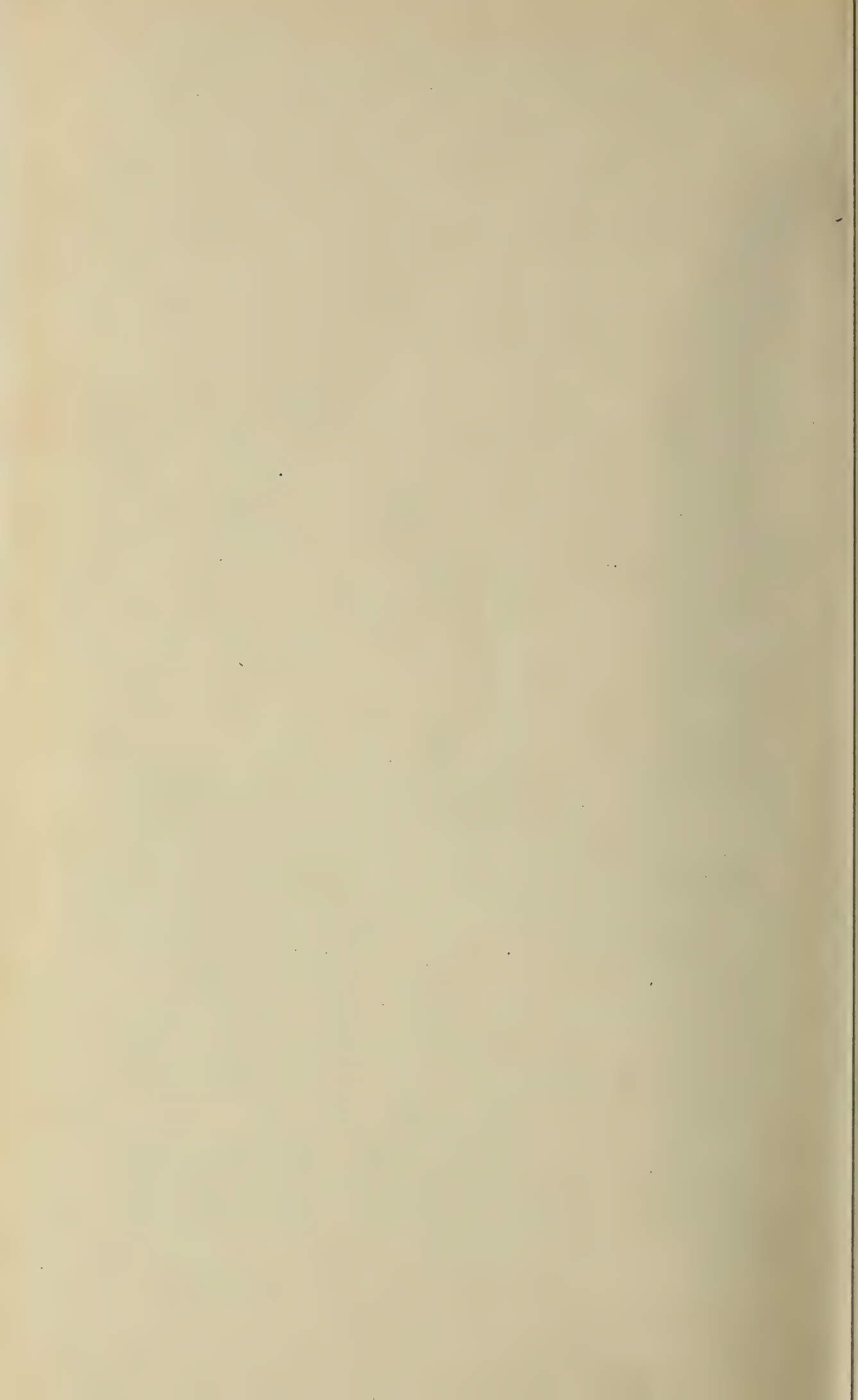
- 1 Introduced by Mr. Tuttle, April 21, 1915.
- 2 Read by title, ordered printed and referred to Committee on Judiciary.

A BILL

For an Act to prohibit the use of unfumigated straw or hay in packing certain commodities and providing a penalty for the violation hereof.

SECTION 1. *Be it enacted by the People of the State of Illinois,*
2 *represented in the General Assembly:* That hereafter there shall not be packed
3 for transportation or transported over any public highway, steam or electric
4 railroad in this State any brick, tile, terra-cotta or crockery ware, in straw or
5 hay unless such straw or hay has been thoroughly fumigated and disinfected
6 so that there will not be any danger of the spread of contagious diseases: *Pro-*
7 *vided,* that this Act shall not apply to the above named articles when they are
8 packed in a tight wooden box or crate, or other receptacle, ~~that~~ will prevent
9 the packing from losing out while such articles are in transit.

Sec. 2. Whoever shall violate the provisions of section 1 of this Act shall
2 be fined not less than one dollar nor more than two hundred dollars for each
3 offense.



UNIVERSITY OF ILLINOIS-URBANA
Q. 328.773 BIH C002 v.49:515-744(19
House bills [Introduced in the] General



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